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COMMITTEE ON THE RIGHTS OF THE CHILD

RESERVATIONS, DECLARATIONS AND OBJECTIONS RELATING TO THE CONVENTION ON THE RIGHTS OF THE CHILD

Note by the Secretary-General

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Introduction

As at 1 January 1998, the Convention on the Rights of the Child had been ratified or acceded to by 191 States. In addition, one State had signed the Convention.

The list of States that have signed, ratified or acceded to the Convention, as well as the dates of their signature, ratification or accession, is contained in chapter I to the present document.

Chapter II contains the texts of declarations and reservations (part A), withdrawal of reservations (part B), extension of application (part C), objections to reservations, declarations and extension of application (part D), declarations with respect to objections (part E), and communications (part F) made by States with respect to the Convention since its entry into force, i.e. from 2 September 1990 to 1 January 1998.

I. LIST OF STATES THAT HAVE SIGNED, RATIFIED OR ACCEDED TO THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 1 JANUARY 1998

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Afghanistan	27 September 1990	28 March 1994	27 April 1994
Albania	26 January 1990	27 February 1992	28 March 1992
Algeria	26 January 1990	16 April 1993	16 May 1993
Andorra	2 October 1995	2 January 1996	1 February 1996
Angola	14 February 1990	5 December 1990	4 January 1991
Antigua and Barbuda	12 March 1991	5 October 1993	4 November 1993
Argentina	29 June 1990	4 December 1990	3 January 1991
Armenia		23 June 1993 a/	22 July 1993
Australia	22 August 1990	17 December 1990	16 January 1991
Austria	26 January 1990	6 August 1992	5 September 1992
Azerbaijan		13 August 1992 a/	12 September 1992
Bahamas	30 October 1990	20 February 1991	22 March 1991
Bahrain		13 February 1992 a/	14 March 1992
Bangladesh	26 January 1990	3 August 1990	2 September 1990
Barbados	19 April 1990	9 October 1990	8 November 1990
Belarus	26 January 1990	1 October 1990	31 October 1990
Belgium	26 January 1990	16 December 1991	15 January 1992
Belize	2 March 1990	2 May 1990	2 September 1990
Benin	25 April 1990	3 August 1990	2 September 1990
Bhutan	4 June 1990	1 August 1990	2 September 1990

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a/ Accession.

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Bolivia	8 March 1990	26 June 1990	2 September 1990
Bosnia and Herzegovina*			6 March 1992
Botswana		14 March 1995 a/	13 April 1995
Brazil	26 January 1990	24 September 1990	24 October 1990
Brunei Darussalam		27 December 1995 a/	26 January 1996
Bulgaria	31 May 1990	3 June 1991	3 July 1991
Burkina Faso	26 January 1990	31 August 1990	30 September 1990
Burundi	8 May 1990	19 October 1990	18 November 1990
Cambodia	22 September 1992	15 October 1992	14 November 1992
Cameroon	25 September 1990	11 January 1993	10 February 1993
Canada	28 May 1990	13 December 1991	12 January 1992
Cape Verde		4 June 1992 a/	4 July 1992
Central African Republic	30 July 1990	23 April 1992	23 May 1992
Chad	30 September 1990	2 October 1990	1 November 1990
Chile	26 January 1990	13 August 1990	12 September 1990
China	29 August 1990	2 March 1992	1 April 1992
Colombia	26 January 1990	28 January 1991	27 February 1991
Comoros	30 September 1990	22 June 1993	21 July 1993
Congo		14 October 1993 a/	13 November 1993
Cook Islands		6 June 1997 a/	6 July 1997
Costa Rica	26 January 1990	21 August 1990	20 September 1990
Côte d'Ivoire	26 January 1990	4 February 1991	6 March 1991
Croatia*			8 October 1991
Cuba	26 January 1990	21 August 1991	20 September 1991
Cyprus	5 October 1990	7 February 1991	9 March 1991
Czech Republic*			1 January 1993
Democratic People's Republic of Korea	23 August 1990	21 September 1990	21 October 1990
Democratic Republic of the Congo	20 March 1990	27 September 1990	27 October 1990
Denmark	26 January 1990	19 July 1991	18 August 1991
Djibouti	30 September 1990	6 December 1990	5 January 1991

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* Succession.

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Dominica	26 January 1990	13 March 1991	12 April 1991
Dominican Republic	8 August 1990	11 June 1991	11 July 1991
Ecuador	26 January 1990	23 March 1990	2 September 1990
Egypt	5 February 1990	6 July 1990	2 September 1990
El Salvador	26 January 1990	10 July 1990	2 September 1990
Equatorial Guinea		15 June 1992 a/	15 July 1992
Eritrea	20 December 1993	3 August 1994	2 September 1994
Estonia		21 October 1991 a/	20 November 1991
Ethiopia		14 May 1991 a/	13 June 1991
Fiji	2 July 1993	13 August 1993	12 September 1993
Finland	26 January 1990	20 June 1991	20 July 1991
France	26 January 1990	7 August 1990	6 September 1990
Gabon	26 January 1990	9 February 1994	11 March 1994
Gambia	5 February 1990	8 August 1990	7 September 1990
Georgia		2 June 1994 a/	2 July 1994
Germany*	26 January 1990	6 March 1992	5 April 1992
Ghana	29 January 1990	5 February 1990	2 September 1990
Greece	26 January 1990	11 May 1993	10 June 1993
Grenada	21 February 1990	5 November 1990	5 December 1990
Guatemala	26 January 1990	6 June 1990	2 September 1990
Guinea		13 July 1990 a/	2 September 1990
Guinea Bissau	26 January 1990	20 August 1990	19 September 1990
Guyana	30 September 1990	14 January 1991	13 February 1991
Haiti	20 January 1990	8 June 1995	8 July 1995
Holy See	20 April 1990	20 April 1990	2 September 1990
Honduras	31 May 1990	10 August 1990	9 September 1990
Hungary	14 March 1990	7 October 1991	6 November 1991
Iceland	26 January 1990	28 October 1992	27 November 1992
India		11 December 1992 a/	11 January 1993
Indonesia	26 January 1990	5 September 1990	5 October 1990

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* Through the accession of the German Democratic Republic to the Federal Republic of Germany with effect from 3 October 1990, the two German States have united to form one sovereign State. As from the date of unification, the Federal Republic of Germany will act in the United Nations under the designation "Germany". The former German Democratic Republic signed and ratified the Convention on 7 March 1990 and 2 October 1990 respectively.

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Iran, Islamic Republic of	5 September 1991	13 July 1994	12 August 1994
Iraq		15 June 1994 a/	15 July 1994
Ireland	30 September 1990	28 September 1992	28 October 1992
Israel	3 July 1990	3 October 1991	2 November 1991
Italy	26 January 1990	5 September 1991	5 October 1991
Jamaica	26 January 1990	14 May 1991	13 June 1991
Japan	21 September 1990	22 April 1994	22 May 1994
Jordan	29 August 1990	24 May 1991	23 June 1991
Kazakstan	16 February 1994	12 August 1994	11 September 1994
Kenya	26 January 1990	30 July 1990	2 September 1990
Kiribati		11 December 1995 a/	10 January 1996
Kuwait	7 June 1990	21 October 1991	20 November 1991
Kyrgyzstan		7 October 1994	6 November 1994
Lao People's Democratic Republic		8 May 1991 a/	7 June 1991
Latvia		14 April 1992 a/	14 May 1992
Lebanon	26 January 1990	14 May 1991	13 June 1991
Lesotho	21 August 1990	10 March 1992	9 April 1992
Liberia	26 April 1990	4 June 1993	4 July 1993
Libyan Arab Jamahiriya		15 April 1993 a/	15 May 1993
Liechtenstein	30 September 1990	22 December 1995	21 January 1996
Lithuania		31 January 1992 a/	1 March 1992
Luxembourg	21 March 1990	7 March 1994	6 April 1994
Madagascar	19 April 1990	19 March 1991	18 April 1991
Malawi		2 January 1991 a/	1 February 1991
Malaysia		17 February 1995 a/	19 March 1995
Maldives	21 August 1990	11 February 1991	13 March 1991
Mali	26 January 1990	20 September 1990	20 October 1990
Malta	26 January 1990	30 September 1990	30 October 1990
Marshall Islands	14 April 1993	4 October 1993	3 November 1993
Mauritania	26 January 1990	16 May 1991	15 June 1991
Mauritius		26 July 1990 a/	2 September 1990
Mexico	26 January 1990	21 September 1990	21 October 1990
Micronesia, Federated States of		5 May 1993 a/	4 June 1993
Monaco		21 June 1993 a/	21 July 1993
Mongolia	26 January 1990	5 July 1990	2 September 1990

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Morocco	26 January 1990	21 June 1993	21 July 1993
Mozambique	30 September 1990	26 April 1994	26 May 1994
Myanmar		15 July 1991 a/	14 August 1991
Namibia	26 September 1990	30 September 1990	30 October 1990
Nauru		27 July 1994 a/	26 August 1994
Nepal	26 January 1990	14 September 1990	14 October 1990
Netherlands	26 January 1990	6 February 1995	7 March 1995
New Zealand	1 October 1990	6 April 1993	6 May 1993
Nicaragua	6 February 1990	5 October 1990	4 November 1990
Niger	26 January 1990	30 September 1990	30 October 1990
Nigeria	26 January 1990	19 April 1991	19 May 1991
Niue		20 December 1995 a/	19 January 1996
Norway	26 January 1990	8 January 1991	7 February 1991
Oman		9 December 1996 a/	8 January 1997
Pakistan	20 September 1990	12 November 1990	12 December 1990
Palau		4 August 1995 a/	3 September 1995
Panama	26 January 1990	12 December 1990	11 January 1991
Papua New Guinea	30 September 1990	1 March 1993	31 March 1993
Paraguay	4 April 1990	25 September 1990	25 October 1990
Peru	26 January 1990	4 September 1990	4 October 1990
Philippines	26 January 1990	21 August 1990	20 September 1990
Poland	26 January 1990	7 June 1991	7 July 1991
Portugal	26 January 1990	21 September 1990	21 October 1990
Qatar	8 December 1992	3 April 1995	3 May 1995
Republic of Korea	25 September 1990	20 November 1991	20 December 1991
Republic of Moldova		26 January 1993 a/	25 February 1993
Romania	26 January 1990	28 September 1990	28 October 1990
Russian Federation	26 January 1990	16 August 1990	15 September 1990
Rwanda	26 January 1990	24 January 1991	23 February 1991
Saint Kitts and Nevis	26 January 1990	24 July 1990	2 September 1990

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Saint Lucia		16 June 1993 a/	16 July 1993
Saint Vincent and the Grenadines	20 September 1993	26 October 1993	25 November 1993
Samoa	30 September 1990	29 November 1994	29 December 1994
San Marino		25 November 1991 a/	25 December 1991
Sao Tomé and Principe		14 May 1991 a/	13 June 1991
Saudi Arabia		26 January 1996 a/	25 February 1996
Senegal	26 January 1990	31 July 1990	2 September 1990
Seychelles		7 September 1990 a/	7 October 1990
Sierra Leone	13 February 1990	18 June 1990	2 September 1990
Singapore		5 October 1995 a/	4 November 1995
Slovakia*			1 January 1993
Slovenia*			25 June 1991
Solomon Islands		10 April 1995 a/	10 May 1995
South Africa	29 January 1993	16 June 1995	16 July 1995
Spain	26 January 1990	6 December 1990	5 January 1991
Sri Lanka	26 January 1990	12 July 1991	11 August 1991
Sudan	24 July 1990	3 August 1990	2 September 1990
Suriname	26 January 1990	1 March 1993	31 March 1993
Swaziland	22 August 1990	7 September 1995	6 October 1995
Sweden	26 January 1990	29 June 1990	2 September 1990
Switzerland	1 May 1991	24 February 1997	26 March 1997
Syrian Arab Republic	18 September 1990	15 July 1993	14 August 1993
Tajikistan		26 October 1993 a/	25 November 1993
Thailand		27 March 1992 a/	26 April 1992
The Former Yugoslav Republic of Macedonia*			17 September 1991
Togo	26 January 1990	1 August 1990	2 September 1990
Tonga		6 November 1995 a/	6 December 1995
Trinidad and Tobago	30 September 1990	5 December 1991	4 January 1992
Tunisia	26 February 1990	30 January 1992	29 February 1992
Turkey	14 September 1990	4 April 1995	4 May 1995

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* On 2 December 1993, the notification of succession by the Government of The Former Yugoslav Republic of Macedonia to the Convention on the Rights of the Child, with effect from 17 September 1991, the date on which The Former Yugoslav Republic of Macedonia assumed responsibility for its international relations, was deposited with the Secretary-General.

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Turkmenistan		20 September 1993 a/	19 October 1993
Tuvalu		22 September 1995 a/	22 October 1995
Uganda	17 August 1990	17 August 1990	16 September 1990
Ukraine	21 February 1991	28 August 1991	27 September 1991
United Arab Emirates		3 January 1997 a/	2 February 1997
United Kingdom of Great Britain and Northern Ireland	19 April 1990	16 December 1991	15 January 1992
United Republic of Tanzania	1 June 1990	10 June 1991	10 July 1991
Uruguay	26 January 1990	20 November 1990	20 December 1990
Uzbekistan		29 June 1994 a/	29 July 1994
Vanuatu	30 September 1990	7 July 1993	6 August 1993
Venezuela	26 January 1990	13 September 1990	13 October 1990
Viet Nam	26 January 1990	28 February 1990	2 September 1990
Yemen	13 February 1990	1 May 1991	31 May 1991
Yugoslavia	26 January 1990	3 January 1991	2 February 1991
Zambia	30 September 1990	5 December 1991	5 January 1992
Zimbabwe	8 March 1990	11 September 1990	11 October 1990

II. TEXTS OF DECLARATIONS, RESERVATIONS, EXTENSION OF APPLICATION, OBJECTIONS AND COMMUNICATIONS

A. Declarations and reservations

AFGHANISTAN

Upon signature

The Government of the Republic of Afghanistan reserves the right to express, upon ratifying the Convention, reservations on all provisions of the Convention that are incompatible with the laws of Islamic Shariah and the local legislation in effect.

ALGERIA

Interpretative Declarations

1. Article 14, paragraphs 1 and 2

The provisions of paragraphs 1 and 2 of article 14 shall be interpreted by the Algerian Government in compliance with the basic foundations of the Algerian legal system, in particular:

- With the Constitution, which stipulates in its article 2 that Islam is the State religion and in its article 35 that there shall be no infringement of the inviolability of the freedom of conviction and the inviolability of the freedom of opinion;

- With Law No. 84-11 of 9 June 1984, comprising the Family Code, which stipulates that a child's education is to take place in accordance with the religion of its father.

2. Articles 13, 16 and 17

Articles 13, 16 and 17 shall be applied while taking account of the interest of the child and the need to safeguard its physical and mental integrity. In this framework, the Algerian Government shall interpret the provisions of these articles while taking account of:

- The provisions of the Penal Code, in particular those sections relating to breaches of public order, to public decency and to the incitement of minors to immorality and debauchery;

- The provisions of Law No. 90-07 of 3 April 1990, comprising the Information Code, and particularly its article 24 stipulating that "the director of a publication destined for children must be assisted by an educational advisory body";

- Article 26 of the same Code, which provides that "national and foreign periodical and specialized publications, whatever their nature or purpose, must not contain any illustration, narrative, information or insertion contrary to Islamic morality, national values or human rights or advocate racism, fanaticism and treason ... Further, such publications must contain no publicity or advertising that may promote violence and delinquency."

ANDORRA

A. The Principality of Andorra deplores the fact that the Convention on the Rights of the Child does not prohibit the use of children in armed conflicts. It also disagrees with the provisions of article 38, paragraphs 2 and 3, concerning the participation and recruitment of children from the age of 15.

B. The Principality of Andorra will apply the provisions of articles 7 and 8 of the Convention without prejudice to the provisions of part II, article 7, of the Constitution of the Principality of Andorra, concerning Andorran nationality.

Article 7 of the Constitution of the Principality of Andorra provides that:

> A Llei Qualificada shall determine the rules pertaining to the acquisition and loss of nationality and the legal consequences thereof.

Acquisition or retention of a nationality other than Andorran nationality shall result in the loss of the latter in accordance with the conditions and limits established by law.

ARGENTINA

Upon signature

Reservation

The Argentine Republic enters a reservation to subparagraphs (b), (c), (d) and (e) of article 21 of the Convention on the Rights of the Child and declares that those subparagraphs shall not apply in areas within its jurisdiction because, in its view, before they can be applied a strict mechanism must exist for the legal protection of children in matters of intercountry adoption, in order to prevent trafficking in and the sale of children.

Declarations

Concerning article 1 of the Convention, the Argentine Republic declares that the article must be interpreted to the effect that a child means every human being from the moment of conception up to the age of 18.

Concerning article 38 of the Convention, the Argentine Republic declares that it would have liked the Convention categorically to prohibit the use of children in armed conflicts; such a prohibition exists in its domestic law which, by virtue of article 41 of the Convention, it shall continue to apply in this regard.

Upon ratification

Reservation

The Argentine Republic enters a reservation to subparagraphs (b), (c), (d) and (e) of article 21 of the Convention on the Rights of the Child and declares that those subparagraphs shall not apply in areas within its jurisdiction because, in its view, before they can be applied a strict mechanism must exist for the legal protection of children in matters of intercountry adoption, in order to prevent trafficking in and the sale of children.

Declarations

Concerning article 1 of the Convention, the Argentine Republic declares that the article must be interpreted to the effect that a child means every human being from the moment of conception up to the age of 18.

Concerning subparagraph (f) of article 24 of the Convention, the Argentine Republic considers that questions relating to family planning are the exclusive concern of parents in accordance with ethical and moral principles and understands it to be a State obligation, under this article, to adopt measures providing guidance for parents and education for responsible parenthood.

Concerning article 38 of the Convention, the Argentine Republic declares that it would have liked the Convention categorically to prohibit the use of children in armed conflicts; such a prohibition exists in its domestic law which, by virtue of article 41 of the Convention, it shall continue to apply in this regard.

AUSTRALIA

Australia accepts the general principles of article 37. In relation to the second sentence of paragraph (c), the obligation to separate children from adults in prison is accepted only to the extent that such imprisonment is considered by the responsible authorities to be feasible and consistent with the obligation that children be able to maintain contact with their families, having regard to the geography and demography of Australia. Australia, therefore, ratifies the Convention to the extent that it is unable to comply with the obligation imposed by article 37 (c).

AUSTRIA

Reservations

1. Article 13 and article 15 of the Convention will be applied provided that they will not affect legal restrictions in accordance with article 10 and article 11 of the European Convention on the Protection of Human Rights and Fundamental Freedoms of 4 November 1950.

2. Article 17 will be applied to the extent that it is compatible with the basic rights of others, in particular with the basic rights of freedom of information and freedom of press.

Declarations

1. Austria will not make any use of the possibility provided for in article 38, paragraph 2, to determine an age limit of 15 years for taking part in hostilities as this rule is incompatible with article 3, paragraph 1, which determines that the best interests of the child shall be a primary consideration.

2. Austria declares, in accordance with its constitutional law, to apply article 38, paragraph 3, provided that only male Austrian citizens are subject to compulsory military service.

BAHAMAS

Upon signature and confirmed upon ratification

The Government of the Commonwealth of the Bahamas upon signing the Convention reserves the right not to apply the provisions of article 2 of the said Convention insofar as those provisions relate to the conferment of citizenship upon a child having regard to the provisions of the Constitution of the Commonwealth of the Bahamas.

BANGLADESH

The Government of the People's Republic of Bangladesh hereby enter our reservations on article 14, paragraph 1.

Also, article 21 would apply subject to the existing laws and practices in Bangladesh.

BELGIUM

Declarations

With regard to article 2, paragraph 1, according to the interpretation of the Belgian Government non-discrimination on grounds of national origin does not necessarily imply the obligation for States automatically to guarantee foreigners the same rights as their nationals. This concept should be understood as designed to rule out all arbitrary conduct but not differences in treatment based on objective and reasonable considerations, in accordance with the principles prevailing in democratic societies.

Articles 13 and 15 shall be applied by the Belgian Government within the context of the provisions and limitations set forth or authorized by the said Convention in articles 10 and 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950.

The Belgian Government declares that it interprets article 14, paragraph 1, as meaning that, in accordance with the relevant provisions of article 18 of the International Covenant on Civil and Political Rights of 19 December 1966 and article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, the right of the child to freedom of thought, conscience and religion implies also the freedom to choose his or her religion or belief.

With regard to article 40, paragraph 2 (b) (v), the Belgian Government considers that the expression "according to law" at the end of that provision means that:

(a) This provision shall not apply to minors who, under Belgian law, are declared guilty and are sentenced in a higher court following an appeal against their acquittal in a court of first instance;

(b) This provision shall not apply to minors who, under Belgian law, are referred directly to a higher court such as the Court of Assize.

BOSNIA AND HERZEGOVINA

Reservation

The Republic of Bosnia and Herzegovina reserves the right not to apply paragraph 1 of article 9 of the Convention since the internal legislation of the Republic of Bosnia and Herzegovina provides for the right of the competent authorities (guardianship authorities) to determine on separation of a child from his/her parents without a previous judicial review.

BOTSWANA

Reservation

The Government of the Republic of Botswana enters a reservation with regard to the provisions of article 1 of the Convention and does not consider itself bound by the same insofar as such may conflict with the Laws and Statutes of Botswana.

BRUNEI DARUSSALAM

The Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam expresses its reservations on the provisions of the said Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion, and without prejudice to the generality of the said reservations, in particular expresses its reservations on articles 14, 20 and 21 of the Convention.

CANADA

Reservation

With a view to ensuring full respect for the purposes and intent of article 20 (3) and article 30 of the Convention, the Government of Canada reserves the right not to apply the provisions of article 21 to the extent that they may be inconsistent with customary forms of care among aboriginal peoples in Canada.

The Government of Canada accepts the general principles of article 37 (c) of the Convention, but reserves the right not to detain children separately from adults where this is not appropriate or feasible.

Declaration

It is the understanding of the Government of Canada that, in matters relating to aboriginal peoples of Canada, the fulfilment of its responsibilities under article 4 of the Convention must take into account the provisions of article 30. In particular, in assessing what measures are appropriate to implement the rights recognized in the Convention for aboriginal children, due regard must be paid to not denying their right, in community with other members of their group, to enjoy their own culture, to profess and practise their own religion and to use their own language.

CHINA

Reservation

[T]he People's Republic of China shall fulfil its obligations provided by article 6 of the Convention to the extent that the Convention is consistent with the provisions of article 25 concerning family planning of the Constitution of the People's Republic of China and with the provisions of article 2 of the Law of Minor Children of the People's Republic of China.

Notification relating to Hong Kong

In accordance with the Declaration of the Government of the People's Republic of China and the United Kingdom of Great Britain and Northern Ireland on the Question of Hong Kong signed on 19 December 1984, the People's Republic of China will resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997. Hong Kong will, with effect from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibility of the Central People's Government of the People's Republic of China.

The 1989 Convention which the People's Republic of China ratified on 2 March 1992 will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997.

Declarations relating to Hong Kong

The Government of the People's Republic of China, on behalf of the Hong Kong Special Administrative Region, interprets the Convention as applicable only following a live birth.

The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to apply such legislation, insofar as it relates to the entry into, stay in and departure from the Hong Kong Special Administrative Region of those who do not have the right under the laws of the Hong Kong Special Administrative Region to enter and remain in the Hong Kong Special Administrative Region, and to the acquisition and possession of residentship as it may deem necessary from time to time.

The Government of the People's Republic of China interprets, on behalf of the Hong Kong Special Administrative Region, the references in the Convention to "parents" to mean only those persons who, under the laws of the Hong Kong Special Administrative Region, are treated as parents. This includes cases where the laws regard a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.

The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right not to apply article 32 (2) (b) of the Convention insofar as it might require regulation of the hours of employment of young persons who have attained the age of 15 years in respect of work in non-industrial establishments.

The Government of the People's Republic of China, on behalf of the Hong Kong Special Administrative Region, seeks to apply the Convention to the fullest extent to children seeking asylum in the Hong Kong Special Administrative Region except insofar as conditions and resources make full implementation impracticable. In particular, in relation to article 22 of the Convention, the Government of the People's Republic of China reserves the right to continue to apply legislation in the Hong Kong Special Administrative Region governing the detention of children seeking refugee status, the determination of their status and their entry into, stay in and departure from the Hong Kong Special Administrative Region.

Where at any time there is a lack of suitable detention facilities, or where the mixing of adults and children is deemed to be mutually beneficial, the Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right not to apply article 37(c) of the Convention insofar as those provisions require children who are detained to be accommodated separately from adults.

The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the [above Conventions] to the Hong Kong Special Administrative Region.

COLOMBIA

Upon signature

The Government of Colombia considers that, while the minimum age of 15 years for taking part in armed conflicts, set forth in article 38 of the Convention, is the outcome of serious negotiations which reflect various legal, political and cultural systems in the world, it would have been preferable to fix that age at 18 years in accordance with the principles and norms prevailing in various regions and countries, including Colombia, for which reason the Government of Colombia, for the purposes of article 38 of the Convention, shall construe the age in question to be 18 years.

Upon ratification

The Government of Colombia, pursuant to article 2, paragraph 1 (d), of the Vienna Convention on the Law of Treaties of 23 May 1969, declares that for the purposes of article 38, paragraphs 2 and 3, of the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989, the age referred to in the said paragraphs shall be understood to be 18 years, given the fact that, under Colombian law, the minimum age for recruitment into the armed forces of personnel called for military service is 18 years.

COOK ISLANDS

Reservations

The Government of the Cook Islands reserves the right not to apply the provisions of article 2 insofar as those provisions may relate to the conferment of Cook Islands nationality, citizenship or permanent residency upon a child having regard to the Constitution and other legislation as may from time to time be in force in the Cook Islands.

With respect to article 10, the Government of the Cook Islands reserves the right to apply such legislation, insofar as it relates to the entry into, stay in and departure from the Cook Islands of those who do not have the right under the law of the Cook Islands to enter and remain in the Cook Islands, and to the acquisition and possession of citizenship, as it may deem necessary from time to time.

The Government of the Cook Islands accepts the general principles of article 37. In relation to the second sentence of paragraph (c), the obligation to separate children from adults in prison is accepted only to the extent that such imprisonment is considered by the responsible authorities to be feasible. The Cook Islands reserves the right not to apply article 37 insofar as those provisions require children who are detained to be accommodated separately from adults.

Declarations

Domestically, the Convention does not apply directly. It establishes State obligations under international law that the Cook Islands fulfils in accordance with its national law.

Article 2, paragraph (1) does not necessarily imply the obligation of States automatically to guarantee foreigners the same rights as their nationals. The concept of non-discrimination on the basis of national origin should be understood as designed to rule out all arbitrary conduct but not differences in treatment based on objective and reasonable considerations, in accordance with the principles prevailing in democratic societies.

The Government of the Cook Islands will take the opportunity afforded by its accession to the Convention to initiate reforms in its domestic legislation relating to adoption that are in keeping with the spirit of the Convention and that it considers appropriate, in line with article 3 (2) of the Convention to ensure the well-being of the child. While all adoptions now permitted under Cook Islands law are based on the principle of the best interests of the child being of paramount consideration and authorized by the High Court in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, the principal aim of the planned measures will be to remove vestigial discrimination provisions governing adoptions found in legislation enacted with respect to the Cook Islands prior to the acquisition of sovereignty by the Cook Islands in order to ensure non-discriminatory adoption arrangements for all Cook Islands nationals.

CROATIA

Upon succession

Reservation

The Republic of Croatia reserves the right not to apply paragraph 1 of article 9 of the Convention since the internal legislation of the Republic of Croatia provides for the right of competent authorities (Centres for Social Work) to determine on separation of a child from his/her parents without a previous judicial review.

CUBA

Upon ratification

Declaration

With reference to article 1 of the Convention, the Government of the Republic of Cuba declares that in Cuba, under the domestic legislation in force, majority is not attained at 18 years of age for purposes of the full exercise of civic rights.

CZECH REPUBLIC

The Government of the Czech Republic interprets the provision of article 7, paragraph 1, of the Convention as follows:

> In cases of irrevocable adoptions, which are based on the principle of anonymity of such adoptions, and of artificial fertilization, where the physician charged with the operation is required to ensure that the husband and wife, on the one hand, and the donor, on the other, remain unknown to each other, the non-communication of a natural parent's name or natural parents' names to the child is not in contradiction with this provision.

DENMARK

Upon ratification

Declaration

Until further notice the Convention shall not apply to Greenland and the Faeroe Islands*.

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* See the notification of withdrawal of this declaration in part B below.

Reservation

Article 40, paragraph 2 (b) (v), shall not be binding on Denmark:

It is a fundamental principle in the Danish Administration of Justice Act that everybody shall be entitled to have any penal measures imposed on him or her by a court of first instance reviewed by a higher court. There are, however, some provisions limiting this right in certain cases, for instance verdicts returned by a jury on the question of guilt, which have not been reversed by the legally trained judges of the court.

DJIBOUTI

Upon ratification

[The Government of the Republic of Djibouti] hereby formally declares its accession to the Convention and pledges, on behalf of the Republic of Djibouti, to adhere to it conscientiously and at all times, except that it shall not consider itself bound by any provisions or articles that are incompatible with its religion and its traditional values.

EGYPT

Upon signature and confirmed upon ratification

The Arab Republic of Egypt,

Considering that the Islamic Shariah is the fundamental source of legislation in Egyptian positive law and that, under the said Shariah, it is obligatory to provide all means of protection and care to children by diverse ways and means, not including, however, the system of adoption established in certain other bodies of positive law,

Expresses its reservation with respect to all the clauses and provisions relating to adoption in this Convention, and in particular to those parts of articles 20 and 21 of the Convention which concern adoption.

FRANCE

Upon signature and confirmed upon ratification

Declaration

The Government of the French Republic declares that this Convention, particularly article 6, cannot be interpreted as constituting any obstacle to the implementation of the provisions of French legislation relating to the voluntary interruption of pregnancy.

The Government of the Republic declares that, in the light of article 2 of the Constitution of the French Republic, article 30 is not applicable insofar as the Republic is concerned.

Reservation

The Government of the Republic construes article 40, paragraph 2 (b) (v), as establishing a general principle to which limited exceptions may be made under law. This is particularly the case for certain non-appealable offences tried by the Police Court and for offences of a criminal nature. Nonetheless, the decisions handed down by the final court of jurisdiction may be appealed before the Court of Cassation, which shall rule on the legality of the decision taken.

GERMANY

Upon signature

The Government of the Federal Republic of Germany reserves the right to make, upon ratification, such declarations as it considers necessary, especially with regard to the interpretation of articles 9, 10, 18 and 22*.

Upon ratification

Declarations

The Government of the Federal Republic of Germany declares that it welcomes the Convention on the Rights of the Child as a milestone in the development of international law and that it will take the opportunity afforded by the ratification of the Convention to initiate reforms in its domestic legislation that are in keeping with the spirit of the Convention and that it considers appropriate, in line with article 3 (2) of the Convention, to ensure the well-being of the child. The planned measures include, in particular, a revision of the law on parental custody in respect of children whose parents have not married, are permanently living apart while still married, or are divorced. The principal aim will be to improve the conditions for the exercise of parental custody by both parents in such cases as well. The Federal Republic of Germany also declares that domestically the Convention does not apply directly. It establishes State obligations under international law that the Federal Republic of Germany fulfils in accordance with its national law, which conforms with the Convention.

The Government of the Federal Republic of Germany is of the opinion that article 18 (1) of the Convention does not imply that by virtue of the entry into force of this provision parental custody, automatically and without taking into account the best interests of the respective child, applies to both parents even in the case of children whose parents have not married, are permanently living apart while still married, or are divorced. Such an interpretation would be incompatible with article 3 (1) of the Convention. The situation must be examined on a case-by-case basis, particularly where the parents cannot agree on the joint exercise of custody.

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* See footnote contained in chapter I, page 7.

The Federal Republic of Germany therefore declares that the provisions of the Convention are also without prejudice to the provisions of national law concerning:

(a) Legal representation of minors in the exercise of their rights;

(b) Rights of custody and access in respect of children born in wedlock;

(c) Circumstances under family and inheritance law of children born out of wedlock;

This applies irrespective of the planned revision of the law on parental custody, the details of which remain within the discretion of the national legislator.

In addition, the Federal Republic of Germany confirms the declaration it made in Geneva on 23 February 1989:

> Nothing in the Convention may be interpreted as implying that unlawful entry by an alien into the territory of the Federal Republic of Germany or his unlawful stay there is permitted; nor may any provision be interpreted to mean that it restricts the right of the Federal Republic of Germany to pass laws and regulations concerning the entry of aliens and the conditions of their stay or to make a distinction between nationals and aliens.

The Government of the Federal Republic of Germany regrets the fact that under article 38 (2) of the Convention even 15-year-olds may take a part in hostilities as soldiers, because this age limit is incompatible with the consideration of a child's best interest (art. 3 (1) of the Convention). It declares that it will not make any use of the possibility afforded by the Convention of fixing this age limit at 15 years.

Reservation

In accordance with the reservations made by it with respect to the parallel guarantees of the International Covenant on Civil and Political Rights, the Federal Republic of Germany declares in respect of article 40 (2) (b) (ii) and (v) of the Convention that these provisions shall be applied in such a way that, in the case of minor infringement of the penal law, there shall not in each and every case exist:

(a) A right to have "legal or other appropriate assistance" in the preparation and presentation of the defence, and/or

(b) An obligation to have a sentence not calling for imprisonment reviewed by a higher competent authority or judicial body.

HOLY SEE

Reservation

The Holy See, in conformity with the dispositions of article 51, [ratifies] the Convention on the Rights of the Child with the following reservations:

(a) That it interprets the phrase "family planning education and services" in article 24 (2) to mean only those methods of family planning which it considers morally acceptable, that is, the natural methods of family planning;

(b) That it interprets the articles of the Convention in a way which safeguards the primary and inalienable rights of parents, in particular insofar as these rights concern education (arts. 13 and 28), religion (art. 14), association with others (art. 15) and privacy (art. 16);

(c) That the application of the Convention be compatible in practice with the particular nature of the Vatican City State and of the sources of its objective law (art. 1, Law of 7 June 1929, n. 11) and, in consideration of its limited extent, with its legislation in the matters of citizenship, access and residence.

Declaration

The Holy See regards the present Convention as a proper and laudable instrument aimed at protecting the rights and interest of children, who are "that precious treasure given to each generation as a challenge to its wisdom and humanity" (Pope John Paul II, 26 April 1984).

The Holy See recognizes that the Convention represents an enactment of principles previously adopted by the United Nations and, once effective as a ratified instrument, will safeguard the rights of the child before as well as after birth, as expressly affirmed in the Declaration of the Rights of the Child (General Assembly resolution 1386 (XIV) of 20 November 1959) and restated in the ninth preambular paragraph of the Convention. The Holy See remains confident that the ninth preambular paragraph will serve as the perspective through which the rest of the Convention will be interpreted, in conformity with article 31 of the Vienna Convention on the Law of Treaties of 23 May 1969.

By acceding to the Convention on the Rights of the Child, the Holy See intends to give renewed expression to its constant concern for the well-being of children and families. In consideration of its singular nature and position, the Holy See, in acceding to this Convention, does not intend to prescind in any way from its specific mission which is of a religious and moral character.

ICELAND

Declarations

1. With respect to article 9, under Icelandic law the administrative authorities can take final decisions in some cases referred to in the article. These decisions are subject to judicial review in the sense that it is a principle of Icelandic law that courts can nullify administrative decisions if they conclude that they are based on unlawful premises. This competence of the courts to review administrative decisions is based on article 60 of the Constitution.

2. With respect to article 37, the separation of juvenile prisoners from adult prisoners is not obligatory under Icelandic law. However, the law relating to prisons and imprisonment provides that when deciding in which penal institution imprisonment is to take place account should be taken of, inter alia, the age of the prisoner. In light of the circumstances prevailing in Iceland it is expected that decisions on the imprisonment of juveniles will always take account of the juvenile's best interest.

INDIA

While fully subscribing to the objectives and purposes of the Convention, realizing that certain of the rights of the child, namely those pertaining to the economic, social and cultural rights can only be progressively implemented in the developing countries, subject to the extent of available resources and within the framework of international cooperation; recognizing that the child has to be protected from exploitation of all forms including economic exploitation; noting that for several reasons children of different ages do work in India; having prescribed minimum ages for employment in hazardous occupations and in certain other areas; having made regulatory provisions regarding hours and conditions of employment; and being aware that it is not practical immediately to prescribe minimum ages for admission to each and every area of employment in India - the Government of India undertakes to take measures to progressively implement the provisions of Article 32, particularly paragraph 2 (a), in accordance with its national legislation and relevant international instruments to which it is a State Party.

INDONESIA

The 1945 Constitution of the Republic of Indonesia guarantees the fundamental rights of the child irrespective of its sex, ethnic origin or race. The Constitution prescribes those rights to be implemented by national laws and regulations.

The ratification of the Convention on the Rights of the Child by the Republic of Indonesia does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligation to introduce any right beyond those prescribed under the Constitution.

With reference to the provisions of articles 1, 14, 16, 17, 21, 22 and 29 of this Convention, the Government of the Republic of Indonesia declares that it will apply these articles in conformity with its Constitution.

IRAN (ISLAMIC REPUBLIC OF)

Upon signature

Reservation

In signing this Convention the Islamic Republic of Iran is making reservation to the articles and provisions which may be contrary to the Islamic Shariah, and reserves the right to make such particular declaration, upon its ratification.

Upon ratification

[T]he Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic Laws and the internal legislation in effect.

IRAQ

[Iraq] ha[s] seen fit to accept it [the Convention] ... subject to a reservation in respect of article 14, paragraph 1, concerning the child's freedom of religion, as allowing a child to change his or her religion runs counter to the provisions of the Islamic Shariah.

IRELAND

Upon signature

Ireland reserves the right to make, when ratifying the Convention, such declarations or reservations as it may consider necessary.

JAPAN

Reservation

In applying paragraph (c) of article 37 of the Convention on the Rights of the Child, Japan reserves the right not to be bound by the provision in its second sentence, that is, "every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so", considering the fact that in Japan as regards persons deprived of liberty, those who are below 20 years of age are to be generally separated from those who are of 20 years of age and over under its national law.

Declarations

The Government of Japan declares that paragraph 1 of article 9 of the Convention on the Rights of the Child be interpreted not to apply to a case where a child is separated from his or her parents as a result of deportation in accordance with its immigration law.

The Government of Japan declares further that the obligation to deal with applications to enter or leave a State party for the purpose of family reunification "in a positive, humane and expeditious manner" provided for in paragraph 1 of article 10 of the Convention on the Rights of the Child be interpreted not to affect the outcome of such applications.

JORDAN

The Hashemite Kingdom of Jordan expresses its reservation and does not consider itself bound by articles 14, 20 and 21 of the Convention, which grant the child the right to freedom of choice of religion and concern the question of adoption, since they are at variance with the precepts of the tolerant Islamic Shariah.

KIRIBATI

The instrument of ratification by the Government of the Republic of Kiribati contains reservations in respect of article 24, paragraph 2 (b), (c), (d), (e) and (f), article 26 and article 28, paragraph 1 (b), (c) and (d), in accordance with article 51, paragraph 1, of the Convention.

The Republic of Kiribati considers that a child's rights as defined in the Convention, in particular the rights defined in Articles 12-16 shall be exercised with respect for parental authority, in accordance with the I-Kiribati customs and traditions regarding the place of the child within and outside the family.

KUWAIT

Upon signature

[Kuwait expresses] reservations on all provisions of the Convention that are incompatible with the laws of Islamic Shariah and the local statutes in effect.

Upon ratification

Declarations

The State of Kuwait understands the concept of article 7 to signify the right of the child who was born in Kuwait and whose parents are unknown (parentless) to be granted Kuwaiti nationality as stipulated by the Kuwaiti Nationality Laws.

With respect to article 21 the State of Kuwait, as it adheres to the provision of the Islamic Shariah as the main source of legislation, strictly bans abandoning the Islamic religion and does not therefore approve adoption.

In accordance with its article 49 (2), the Convention will enter into force for Kuwait on the thirtieth day after the date of deposit of the instrument, i.e. on 20 November 1991.

LIECHTENSTEIN

According to the legislation of the Principality of Liechtenstein children come of age at 20 years. However, the Liechtenstein law provides for the possibility to prolong or to shorten the duration of minority.

The Principality of Liechtenstein reserves the right to apply the Liechtenstein legislation according to which Liechtenstein nationality is granted under certain conditions.

The Principality of Liechtenstein reserves the right to apply the Liechtenstein legislation according to which family reunification for certain categories of foreigners is not guaranteed.

LUXEMBOURG

Reservations

1. The Government of Luxembourg believes that it is in the interest of families and children to maintain the provision of article 334-6 of the Civil Code, which reads as follows:

Article 334-6. If at the time of conception, the father or mother was bound in marriage to another person, the natural child may be raised in the conjugal home only with the consent of the spouse of his parent.

2. The Government of Luxembourg declares that the present Convention does not require modification of the legal status of children born to parents between whom marriage is absolutely prohibited, such status being warranted by the interest of the child, as provided under article 3 of the Convention.

3. The Government of Luxembourg declares that article 6 of the present Convention presents no obstacle to implementation of the provisions of Luxembourg legislation concerning sex information, the prevention of back-street abortion and the regulation of pregnancy termination.

4. The Government of Luxembourg believes that article 7 of the Convention presents no obstacle to the legal process in respect of anonymous births, which is deemed to be in the interest of the child, as provided under article 3 of the Convention.

5. The Government of Luxembourg declares that article 15 of the present Convention does not impede the provisions of Luxembourg legislation concerning the capacity to exercise rights.

MALAYSIA

Reservation

The Government of Malaysia accepts the provisions of the Convention on the Rights of the Child but expresses reservations with respect to articles 1, 2, 7, 13, 14, 15, 22, 28, 37, 40 paragraphs 3 and 4, 44 and 45 of the

Convention and declares that the said provisions shall be applicable only if they are in conformity with the Constitution, national laws and national policies of the Government of Malaysia.

MALDIVES

Upon signature and confirmed upon ratification

Since the Islamic Shariah is one of the fundamental sources of Maldivian Law and since Islamic Shariah does not include the system of adoption among the ways and means for the protection and care of children contained in Shariah, the Government of the Republic of Maldives expresses its reservations with respect to all the clauses and provisions relating to adoption in the said Convention on the Rights of the Child.

The Government of the Republic of Maldives expresses its reservation to paragraph 1 of article 14 of the said Convention on the Rights of the Child, since the Constitution and the laws of the Republic of Maldives stipulate that all Maldivians should be Muslims.

MALI

The Government of the Republic of Mali declares that, in view of the provisions of the Mali Family Code, there is no reason to apply article 16 of the Convention.

MALTA

The Government of Malta is bound by the obligations arising from article 26 to the extent of present social security legislation.

MAURITIUS

The Government of Mauritius, having considered the Convention on the Rights of the Child hereby accedes to it with express reservation with regard to article 22 of the said Convention.

MONACO

Declaration and reservation

The Principality of Monaco declares that this Convention, especially article 7, shall not affect the rules laid down in Monegasque legislation regarding nationality.

The Principality of Monaco interprets article 40, paragraph 2 (b) (v) as stating a general principle which has a number of statutory exceptions. Such, for example, is the case with respect to certain criminal offences. In any event, in all matters the Judicial Review Court rules definitively on appeals against all decisions of last resort.

MOROCCO

Reservation

The Kingdom of Morocco, whose Constitution guarantees to all the freedom to pursue his religious affairs, makes a reservation to the provisions of article 14, which accords children freedom of religion, in view of the fact that Islam is the State religion.

MYANMAR

Article 15

The Union of Myanmar interprets the expression "the law" in article 15, paragraph 2, to mean the laws, as well as the decrees and executive orders having the force of law, which are for the time being in force in the Union of Myanmar.

The Union of Myanmar understands that such restrictions on freedom of association and freedom of peaceful assembly imposed in conformity with the said laws, decrees and executive orders as are required by the exigencies of the situation obtaining in the Union of Myanmar are permissible under article 15, paragraph 2.

The Union of Myanmar interprets the expression "national security" in the same paragraph as encompassing the supreme national interest, namely, the non-disintegration of the Union, the non-disintegration of national solidarity and the perpetuation of national sovereignty, which constitute the paramount national causes of the Union of Myanmar*.

Article 37

The Union of Myanmar accepts in principle the provisions of article 37 as they are in consonance with its laws, rules, regulations, procedures and practice as well as with its traditional, cultural and religious values. However, having regard to the exigencies of the situation obtaining in the country at present, the Union of Myanmar states as follows:

Nothing contained in article 37 shall prevent, or be construed as preventing, the Government of the Union of Myanmar from assuming or exercising, in conformity with the laws for the time being in force in the country and the procedures established thereunder, such powers as are required by the exigencies of the situation for the preservation and strengthening of the rule of law, the maintenance of public order (ordre public) and, in particular, the protection of the supreme national interest, namely, the non-disintegration of the Union, the non-disintegration of national solidarity and the perpetuation of national sovereignty, which constitute the paramount national causes of the Union of Myanmar.

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* See the notification of withdrawal of these reservations in part B below.

Such powers shall include the powers of arrest, detention, imprisonment, exclusion, interrogation, inquiry and investigation.

NETHERLANDS

Reservations

Article 26

The Kingdom of the Netherlands accepts the provisions of article 26 of the Convention with the reservation that these provisions shall not imply an independent entitlement of children to social security, including social insurance.

Article 37

The Kingdom of the Netherlands accepts the provisions of article 37 (c) of the Convention with the reservation that these provisions shall not prevent the application of adult penal law to children of sixteen years and older, provided that certain criteria laid down by law have been met.

Article 40

The Kingdom of the Netherlands accepts the provisions of article 40 of the Convention with the reservation that cases involving minor offences may be tried without the presence of legal assistance and that with respect to such offences the position remains that no provision is made in all cases for a review of the facts or of any measures imposed as a consequence.

Declarations

Article 14

It is the understanding of the Government of the Kingdom of the Netherlands that article 14 of the Convention is in accordance with the provisions of article 18 of the International Covenant on Civil and Political Rights of 19 December 1966 and that this article shall include the freedom of a child to have or adopt a religion or belief of his or her choice as soon as the child is capable of making such choice in view of his or her age or maturity.

Article 22

With regard to article 22 of the Convention, the Government of the Kingdom of the Netherlands declares:

(a) That it understands the term "refugee" in paragraph 1 of this article as having the same meaning as in article 1 of the Convention relating to the Status of Refugees of 28 July 1951; and

(b) That it is of the opinion that the obligation imposed under the terms of this article does not prevent

> The submission of a request for admission from being made subject to certain conditions, failure to meet such conditions resulting in inadmissibility;
>
> The referral of a request for admission to a third State, in the event that such a State is considered to be primarily responsible for dealing with the request for asylum.

Article 38

With regard to article 38 of the Convention, the Government of the Kingdom of the Netherlands declares that it is of the opinion that States should not be allowed to involve children directly or indirectly in hostilities and that the minimum age for the recruitment or incorporation of children in the armed forces should be above 15 years.

In times of armed conflict, provisions shall prevail that are most conducive to guaranteeing the protection of children under international law, as referred to in article 41 of the Convention.

THE NETHERLANDS ANTILLES

Declarations

Article 14

It is the understanding of the Government of the Kingdom of the Netherlands that article 14 of the Convention is in accordance with the provisions of article 18 of the International Covenant on Civil and Political Rights, of 19 December 1966, and that this article shall include the freedom of a child to have or adopt a religion or belief of his or her choice as soon as the child is capable of making such choice in view of his or her age or maturity.

Article 22

The Government of the Kingdom of the Netherlands declares that whereas the Netherlands Antilles are not bound by the 1951 Convention relating to the Status of Refugees, article 22 of the present Convention shall be interpreted as containing a reference only to such other international human rights or humanitarian instruments as are binding on the Kingdom of the Netherlands with respect to the Netherlands Antilles.

Article 38

With regard to article 38 of the Convention, the Government of the Kingdom of the Netherlands declares that it is of the opinion that States should not be allowed to involve children directly or indirectly in hostilities and that the minimum age for the recruitment or incorporation of children in the armed forces should be above 15 years. In times of armed conflict, provisions shall prevail that are most conducive to guaranteeing the protection of children under international law, as referred to in article 41 of the Convention.

Article 26

The Kingdom of the Netherlands accepts the provisions of article 26 of the Convention with the reservation that these provisions shall not imply an independent entitlement of children to social security, including social insurance.

Article 37

The Kingdom of the Netherlands accepts the provisions of article 37 (c) of the Convention with the reservation that these provisions shall not prevent:

- The application of adult penal law to children of 16 years and older, provided that certain criteria laid down by law have been met;
- That a child who has been detained will not always be accommodated separately from adults; if the number of children that has to be detained at a certain time is unexpectedly large, (temporary) accommodation together with adults may be unavoidable.

Article 40

The Kingdom of the Netherlands accepts the provisions of article 40 of the Convention with the reservation that cases involving minor offences may be tried without the presence of legal assistance and that with respect to such offences the position remains that no provision is made in all cases for a review of the facts or of any measures imposed as a consequence.

NEW ZEALAND

Reservations

Nothing in this Convention shall affect the right of the Government of New Zealand to continue to distinguish as it considers appropriate in its law and practice between persons according to the nature of the authority to be in New Zealand including but not limited to their entitlement to benefits and other protections described in the Convention, and the Government of New Zealand reserves the right to interpret and apply the Convention accordingly.

The Government of New Zealand considers that the rights of the child provided for in article 32 (1) are adequately protected by its existing law. It therefore reserves the right not to legislate further or to take additional measures as may be envisaged in article 32 (2).

The Government of New Zealand reserves the right not to apply article 37 (c) in circumstances where the shortage of suitable facilities makes the mixing of juveniles and adults unavoidable; and further reserves the right not to apply article 37 (c) where the interests of other juveniles in an establishment require the removal of a particular juvenile offender or where mixing is considered to be of benefit to the persons concerned.

Declaration

The Government of New Zealand ... declares that such ratification shall extend to Tokelau only upon notification to the Secretary-General of the United Nations of such extension.

NORWAY

The instrument of ratification by the Government of Norway contains a reservation in respect of article 40, paragraph 2 (b) (v), in accordance with article 51, paragraph 1, of the Convention*.

OMAN

Reservations

1. The words "or to public safety" should be added in article 9 [, paragraph 4,] after the words "unless the provision of the information would be detrimental to the well-being of the child".

2. A reservation is entered to all the provisions of the Convention that do not accord with Islamic law or the legislation in force in the Sultanate and, in particular, to the provisions relating to adoption set forth in its article 21.

3. The provisions of the Convention should be applied within the limits imposed by the material resources available.

4. The Sultanate considers that article 7 of the Convention as it relates to the nationality of a child shall be understood to mean that a child born in the Sultanate of unknown parents shall acquire Omani nationality, as stipulated in the Sultanate's Nationality Law.

5. The Sultanate does not consider itself to be bound by those provisions of article 14 of the Convention that accord a child the right to choose his or her religion or those of its article 30 that allow a child belonging to a religious minority to profess his or her own religion.

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* See the notification of withdrawal of this reservation in part B below.

PAKISTAN

Upon signature and confirmed upon ratification

The provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values.

POLAND

Reservations

In ratifying the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989, the Republic of Poland, in accordance with the provision contained in article 51, paragraph 1, of the Convention, registers the following reservations:

(a) With respect to article 7 of the Convention, the Republic of Poland stipulates that the right of an adopted child to know its natural parents shall be subject to the limitations imposed by binding legal arrangements that enable adoptive parents to maintain the confidentiality of the child's origin;

(b) The law of the Republic of Poland shall determine the age from which call-up to military or similar service and participation in military operations are permissible. That age limit may not be lower than the age limit set out in article 38 of the Convention.

Declarations

The Republic of Poland considers that a child's rights as defined in the Convention, in particular the rights defined in articles 12 to 16, shall be exercised with respect for parental authority, in accordance with Polish customs and traditions regarding the place of the child within and outside the family.

With respect to article 24, paragraph 2 (f), of the Convention, the Republic of Poland considers that family planning and education services for parents should be in keeping with the principles of morality.

QATAR

Upon signature

The State of Qatar wishes to make a general reservation with regard to those provisions of the Convention which are incompatible with Islamic law.

Upon ratification

[The State of Qatar] enter(s) a ... general reservation by the State of Qatar in respect of any provisions that conflict with the provisions of the Islamic Shariah.

REPUBLIC OF KOREA

Reservation

The Republic of Korea considers itself not bound by the provisions of paragraph 3 of article 9, paragraph (a) of article 21 and subparagraph (b) (v) of paragraph 2 of article 40.

SAMOA

Reservation

[T]he Government of Western Samoa whilst recognizing the importance of providing free primary education as specified under article 28 (1) (a) of the Convention on the Rights of the Child,

And being mindful of the fact that the greater portion of schools within Western Samoa that provide primary education are controlled by bodies outside the control of the Government,

Pursuant then to article 51 the Government of Western Samoa thus reserves the right to allocate resources to the primary level sector of education in Western Samoa in contrast to the requirement of article 28 (1) (a) to provide free primary education.

SAUDI ARABIA

Reservation

... entering reservations with respect to all such articles as are in conflict with the provisions of Islamic law.

SINGAPORE

1. The Republic of Singapore considers that a child's rights as defined in the Convention, in particular the rights defined in articles 12 to 17, shall in accordance with articles 3 and 5 be exercised with respect for the authority of parents, schools and other persons who are entrusted with the care of the child and in the best interests of the child and in accordance with the customs, values and religions of Singapore's multiracial and multi-religious society regarding the place of the child within and outside the family.

2. The Republic of Singapore considers that articles 19 and 37 of the Convention do not prohibit:

(a) the application of any prevailing measures prescribed by law for maintaining law and order in the Republic of Singapore;

(b) measures and restrictions which are prescribed by law and which are necessary in the interests of national security, public safety, public order, the protection of public health or the protection of the rights and freedoms of others; or

(c) the judicious application of corporal punishment in the best interests of the child.

3. The Constitution and the laws of the Republic of Singapore provide adequate protection and fundamental rights and liberties in the best interests of the child. The accession to the Convention by the Republic of Singapore does not imply the acceptance of obligations going beyond the limits prescribed by the Constitution of the Republic of Singapore nor the acceptance of any obligation to introduce any right beyond those prescribed under the Constitution.

4. Singapore is geographically one of the smallest independent countries in the world and one of the most densely populated. The Republic of Singapore accordingly reserves the right to apply such legislation and conditions concerning the entry into, stay in and departure from the Republic of Singapore of those who do not or who no longer have the right under the laws of the Republic of Singapore, to enter and remain in the Republic of Singapore, and to the acquisition and possession of citizenship, as it may deem necessary from time to time and in accordance with the laws of the Republic of Singapore.

5. The employment legislation of the Republic of Singapore prohibits the employment of children below 12 years old and gives special protection to working children between the ages of 12 years and below the age of 16 years. The Republic of Singapore reserves the right to apply article 32 subject to such employment legislation.

6. With respect to article 28.1 (a), the Republic of Singapore:

(a) does not consider itself bound by the requirement to make primary education compulsory because such a measure is unnecessary in our social context where in practice virtually all children attend primary school; and

(b) reserves the right to provide primary education free only to children who are citizens of Singapore.

SLOVENIA

Reservation

The Republic of Slovenia reserves the right not to apply paragraph 1 of article 9 of the Convention since the internal legislation of the Republic of Slovenia provides for the right of competent authorities (centres for social work) to determine on separation of a child from his/her parents without a previous judicial review.

SPAIN

Spain understands that article 21, paragraph (d), of the Convention may never be construed to permit financial benefits other than those needed to cover strictly necessary expenditure which may have arisen from the adoption of children residing in another country.

Spain, wishing to make common cause with those States and humanitarian organizations which have manifested their disagreement with the contents of article 38, paragraphs 2 and 3, of the Convention, also wishes to express its disagreement with the age limit fixed therein and to declare that the said limit appears insufficient, by permitting the recruitment and participation in armed conflict of children having attained the age of 15 years.

SWAZILAND

Declaration

The Convention on the Rights of the Child being a point of departure to guarantee child rights; taking into consideration the progressive character of the implementation of certain social, economic and cultural rights as recognized in article 4 of the Convention, the Government of the Kingdom of Swaziland would undertake the implementation of the right to free primary education to the maximum extent of available resources and expects to obtain the cooperation of the international community for its full satisfaction as soon as possible.

SWITZERLAND

Switzerland refers expressly to the obligation of all States to apply the rules of international humanitarian law and national law to the extent that they ensure better protection and care of children who are affected by an armed conflict.

(a) Reservation concerning article 5:

The Swiss legislation concerning parental authority is unaffected.

(b) Reservation concerning article 7:

The Swiss legislation on nationality, which does not grant the right to acquire Swiss nationality, is unaffected.

(c) Reservation concerning article 10, paragraph 1:

Swiss legislation, which does not guarantee family reunification to certain categories of aliens, is unaffected.

(d) Reservation concerning article 37 (c):

The separation of children deprived of liberty from adults is not unconditionally guaranteed.

(e) Reservation concerning article 40:

The Swiss penal procedure applicable to children, which does not guarantee either the unconditional right to assistance or separation, where personnel or organization is concerned, between the examining authority and the sentencing authority, is unaffected.

The federal legislation concerning the organization of criminal justice, which establishes an exception to the right to a conviction and sentence being reviewed by a higher tribunal where the person concerned was tried by the highest tribunal at first instance, is unaffected.

The guarantee of having the free assistance of an interpreter does not exempt the beneficiary from the payment of any resulting costs.

SYRIAN ARAB REPUBLIC

Reservation

The Syrian Arab Republic has reservations on the provisions of the Convention which are not in conformity with the legislation of the Syrian Arab Republic and with the principles of Islamic Shariah, in particular the content of article 14 related to the right of the child to freedom of religion, and articles 20 and 21 concerning adoption.

THAILAND*

Reservation

The application of articles 7, 22 and 29 of the Convention on the Rights of the Child shall be subject to the national laws, regulations and prevailing practices in Thailand.

TUNISIA

Reservation

The Government of the Republic of Tunisia enters a reservation with regard to the provisions of article 2 of the Convention, which may not impede implementation of the provisions of its national legislation concerning personal status, particularly in relation to marriage and inheritance rights.

The Government of the Republic of Tunisia regards the provisions of article 40, paragraph 2 (b) (v), as representing a general principle to which exceptions may be made under national legislation, as is the case for some offences on which final judgement is rendered by cantonal or criminal courts without prejudice to the right of appeal in their regard to the Court of Cassation entrusted with ensuring the implementation of the law.

The Government of the Republic of Tunisia considers that article 7 of the Convention cannot be interpreted as prohibiting the implementation of the provisions of national legislation relating to nationality and, in particular, to cases in which it is forfeited.

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* See the notification of partial withdrawal of this reservation in part B below.

Declarations

The Government of the Republic of Tunisia declares that it shall not, in implementing this Convention, adopt any legislative or statutory decision that conflicts with the Tunisian Constitution.

The Government of the Republic of Tunisia declares that its undertaking to implement the provisions of this Convention shall be limited by the means at its disposal.

The Government of the Republic of Tunisia declares that the Preamble to and the provisions of the Convention, in particular article 6, shall not be interpreted in such a way as to impede the application of Tunisian legislation concerning voluntary termination of pregnancy.

TURKEY

Upon signature and confirmed upon ratification

The Republic of Turkey reserves the right to interpret and to apply the provisions of articles 17, 29 and 30 of the Convention on the Rights of the Child according to the letter and spirit of the Constitution of the Republic of Turkey and of the Treaty of Lausanne of 24 July 1923.

UNITED ARAB EMIRATES

Article 7

The United Arab Emirates is of the view that the acquisition of nationality is an internal matter and one that is regulated and whose terms and conditions are established by national legislation.

Article 14

The United Arab Emirates shall be bound by the tenor of this article to the extent that it does not conflict with the principles and provisions of Islamic law.

Article 17

While the United Arab Emirates appreciates and respects the functions assigned to the mass media by the article, it shall be bound by its provisions in the light of the requirements of domestic stacutes and laws and, in accordance with the recognition accorded them in the preamble to the Convention, in such a manner that the country's traditions and cultural values are not violated.

Article 21

Since, given its commitment to the principles of Islamic law, the United Arab Emirates does not permit the system of adoption, it has reservations with respect to this article and does not deem it necessary to be bound by its provisions.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND*

Upon signature

The United Kingdom reserves the right to formulate, upon ratifying the Convention, any reservations or interpretative declarations which it might consider necessary.

Upon ratification

Reservation and Declarations

The United Kingdom interprets the Convention as applicable only following a live birth.

The United Kingdom interprets the references in the Convention to "parents" to mean only those persons who, as a matter of national law, are treated as parents. This includes cases where the law regards a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.

The United Kingdom reserves the right to apply such legislation, insofar as it relates to the entry into, stay in and departure from the United Kingdom of those who do not have the right under the law of the United Kingdom to enter and remain in the United Kingdom, and to the acquisition and possession of citizenship, as it may deem necessary from time to time.

Employment legislation in the United Kingdom does not treat persons under 18, but over the school-leaving age as children, but as "young people". Accordingly the United Kingdom reserves the right to continue to apply article 32 subject to such employment legislation.

Where at any time there is a lack of suitable accommodation or adequate facilities for a particular individual in any institution in which young offenders are detained, or where the mixing of adults and children is deemed to be mutually beneficial, the United Kingdom reserves the right not to apply article 37 (c) insofar as those provisions require children who are detained to be accommodated separately from adults.

In Scotland there are tribunals (known as "children's hearings") which consider the welfare of the child and deal with the majority of offences which a child is alleged to have committed. In some cases, mainly of a welfare nature, the child is temporarily deprived of its liberty for up to seven days prior to attending the hearing. The child and its family are, however, allowed access to a lawyer during this period. Although the decisions of the hearings are subject to appeal to the courts, legal representation is not permitted at the proceedings of the children's hearings themselves. Children's hearings have proved over the years to be a very effective way of dealing with the problems of children in a less formal, non-adversarial manner. Accordingly, the United Kingdom, in respect of article 37 (d), reserves its right to continue the present operation of children's hearings.

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* See the notification of partial withdrawal of this reservation in part B below.

Moreover, the instrument by the United Kingdom of Great Britain and Northern Ireland contains the following declaration:

> ... [The Government of the United Kingdom reserves] the right to extend the Convention at a later date to any territory for whose international relations the Government of the United Kingdom is responsible ...

Notification relating to Hong Kong

In accordance with the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong signed on 19 December 1984, the Government of the United Kingdom will restore Hong Kong to the People's Republic of China with effect from 1 July 1997. The Government of the United Kingdom will continue to have international responsibility for Hong Kong until that date. Therefore, from that date the Government of the United Kingdom will cease to be responsible for the international rights and obligations arising from the application of the [above Conventions] to Hong Kong.

URUGUAY

Upon signature

On signing this Convention, Uruguay, reaffirms the right to make reservations upon ratification, if it considers it appropriate.

Upon ratification

With reference to the declaration submitted on the occasion of the signing, on 26 January 1990, of the Convention on the Rights of the Child, adopted by that Government on 6 December 1989, the Government of the Eastern Republic of Uruguay affirms, in regard to the provisions of article 38, paragraphs 2 and 3, that in accordance with Uruguayan law it would have been desirable for the lower age limit for taking a direct part in hostilities in the event of an armed conflict to be set at 18 years instead of 15 years as provided in the Convention.

Furthermore, the Government of Uruguay declares that, in the exercise of its sovereign will, it will not authorize any persons under its jurisdiction who have not attained the age of 18 years to take a direct part in hostilities and will not under any circumstances recruit persons who have not attained the age of 18 years.

VENEZUELA

The Government of Venezuela understands article 21 (b) as referring to international adoption and in no circumstances to placement in a foster home outside the country. It is also its view that the provision cannot be interpreted to the detriment of the State's obligation to ensure due protection of the child.

Regarding article 21 (d), the Government of Venezuela takes the position that neither the adoption nor the placement of children should in any circumstances result in financial gain for those in any way involved in it.

The Government of Venezuela takes the position that article 30 must be interpreted as a case in which article 2 of the Convention applies.

YUGOSLAVIA

The competent authorities (ward authorities) of the Socialist Federal Republic of Yugoslavia may, under article 9, paragraph 1, of the Convention, make decisions to deprive parents of their right to raise their children and give them an upbringing without prior judicial determination in accordance with the internal legislation of the Socialist Federal Republic of Yugoslavia.

B. Withdrawal of reservations

DENMARK

On 11 May 1993, the Government of Denmark notified the Secretary-General of its decision to withdraw its reservation, made upon ratification, according to which the Convention should not until further notice apply to Greenland and the Faeroe Islands.

MYANMAR

On 19 October 1993, the Government of Myanmar notified the Secretary-General of its decision to withdraw the reservations, made upon accession on 15 July 1991, with respect to articles 15 and 37.* **

NORWAY

On 19 September 1995, the Government of Norway notified the Secretary-General of its decision to withdraw the reservation with respect to article 40 (2) (b) (v) of the Convention that it had made upon ratification of the Convention.

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* For the text of these reservations see part A above.

** See the notification of withdrawal of this reservation in part B below.

PAKISTAN

On 23 July 1997, the Government of Pakistan notified the Secretary-General of its decision to withdraw the following reservation of the above Convention that it had made upon signature and confirmed upon ratification (reference is made to depositary notification C.N.245.1990. TREATIES-9 of 28 November 1990): "Provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values".

THAILAND

On 11 April 1997, the Government of Thailand notified the Secretary-General of its decision to withdraw the reservation it had made upon accession to the above Convention, as circulated by depositary notification C.N.94.1992.TREATIES-7 of 9 June 1992, to the extent that it applies to article 29. The remaining reservation will now read as follows: "The application of articles 7 and 22 of the Convention on the Rights of the Child shall be subject to the national laws, regulations and prevailing practices in Thailand".*

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

On 18 April 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of its decision to withdraw the reservation it had made upon ratification of the above Convention, as circulated by depositary notification C.N.320.1991.TREATIES-16 of 20 February 1992, to the extent that it applies to article 37 (d). The remaining reservations will now read as follows:

> "The United Kingdom reserves the right to apply such legislation, insofar as it relates to the entry into, stay in and departure from the United Kingdom of those who do not have the right under the law of the United Kingdom to enter and remain in the United Kingdom, and to the acquisition and possession of citizenship, as it may deem necessary from time to time.
>
> "Employment legislation in the United Kingdom does not treat persons under 18, but over the school-leaving age as children, but as 'young people'. Accordingly the United Kingdom reserves the right to continue to apply article 32 subject to such employment legislation.
>
> "Where at any time there is a lack of suitable accommodation or adequate facilities for a particular individual in any institution in which young offenders are detained, or where the mixing of adults and children is deemed to be mutually beneficial, the United Kingdom reserves the right not to apply article 37 (c) insofar as those provisions require children who are detained to be accommodated separately from adults".*

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* For the text of the reservation see part A above.

YUGOSLAVIA

On 28 January 1997, the Government of Yugoslavia notified the Secretary-General of its decision to withdraw the reservation with respect to article 9, paragraph 1 of the Convention that it had made upon ratification of the Convention, as circulated by depositary notification C.N.5.1991.TREATIES-1 of 12 April 1991*.

C. Extension of application

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

On 7 September 1994, the Secretary-General received from the Government of the United Kingdom of Great Britain and Northern Ireland a notification to the effect that the application of the above-mentioned Convention is extended to the following territories:

The Isle of Man
Anguilla
Bermuda
British Virgin Islands
Cayman Islands
Falkland Islands
Hong Kong
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St. Helena, St. Helena Dependencies
South Georgia and the South Sandwich Islands
Turks and Caicos Islands.

The extension is subject to the following reservation and declarations:

The United Kingdom refers to the reservation and declarations (a), (b) and (c) which accompanied its instrument of ratification and makes a similar reservation and declarations in respect of each of its dependent territories.

The United Kingdom, in respect of each of its dependent territories except Hong Kong and Pitcairn, reserves the right to apply article 32 subject to the laws of those territories which treat certain persons under 18 not as children but as "young people". In respect of Hong Kong, the United Kingdom reserves the right not to apply article 32 (b) insofar as it might require regulation of the hours of employment of young persons who have attained the age of 15 years in respect of work in non-industrial establishments.

Where at any time there is a lack of suitable detention facilities or where the mixing of adults and children is deemed to be mutually beneficial, the United Kingdom, in respect of each of its dependent territories, reserves the right not to apply article 37 (c) insofar as those provisions require children who are detained to be accommodated separately from adults.

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* For the text of the reservation see part A above.

The United Kingdom, in respect of Hong Kong and the Cayman Islands, will seek to apply the Convention to the fullest extent to children seeking asylum in those territories except insofar as conditions and resources make full implementation impracticable. In particular, in relation to article 22, the United Kingdom reserves the right to continue to apply any legislation in those territories governing the detention of children seeking refugee status, the determination of their status and their entry into, stay in and departure from those territories.

The Government of the United Kingdom reserves the right to extend the Convention at a later date to any other territories for whose international relations the Government of the United Kingdom is responsible.

(For ease of reference, the United Kingdom's instrument of ratification of the Convention was accompanied by, inter alia, the following reservation and declarations:

(a) The United Kingdom interprets the Convention as applicable only following a live birth.

(b) The United Kingdom interprets the references in the Convention to "parents" to mean only those persons who, as a matter of national law, are treated as parents. This includes cases where the law regards a child as having only one parent, for example, where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.

(c) The United Kingdom reserves the right to apply such legislation, insofar as it relates to the entry into, stay in and departure from the United Kingdom of those who do not have the right under the law of the United Kingdom to enter and remain in the United Kingdom, and to the acquisition and possession of citizenship, as it may deem necessary from time to time.)

The extension to the said territories took effect on 7 September 1994, i.e. the date of receipt of the said notification.

D. Objections to reservations, declarations and extension of application

ARGENTINA

[3 April 1995]

The Government of Argentina rejects the extension of the application of the Convention on the Rights of the Child, done in New York on 20 November 1989, to the Malvinas Islands, South Georgia and the South Sandwich Islands, effected by the United Kingdom of Great Britain and Northern Ireland on 7 September 1994, and reaffirms its sovereignty over those islands, which are an integral part of its national territory.

AUSTRIA

[6 September 1995]

The Government of Austria has examined the contents of the reservation made by the Islamic Republic of Iran upon accession to the Convention on the Rights of the Child which reads as follows:

> "The Government of the Islamic Republic of Iran reserve the rights not to apply any provision or articles of the Convention that are incompatible with Islamic laws and the internal legislation in effect."

Under article 19 of the Vienna Convention on the Law of Treaties - which is reflected in article 51 of the Convention on the Rights of the Child - a reservation, in order to be admissible under international law, has to be compatible with the object and purpose of the treaty concerned. A reservation is incompatible with the object and purpose of a treaty if it intends to derogate from provisions the implementation of which is essential to fulfilling its object and purpose.

The Government of Austria has examined the reservation made by the Islamic Republic of Iran to the Convention on the Rights of the Child. Given the general character of this reservation a final assessment as to its admissibility under international law cannot be made without further clarification.

Until the scope of the legal effects of this reservation is sufficiently specified by the Islamic Republic of Iran, the Republic of Austria considers this reservation as not affecting any provision the implementation of which is essential to fulfilling the object and purpose of the Convention on the Rights of the Child.

Austria, however, objects to the admissibility of the reservation in question if the application of this reservation negatively affects the compliance by the Islamic Republic of Iran with its obligations under the Convention on the Rights of the Child essential for the fulfilment of its object and purpose.

Austria could not consider the reservation made by the Islamic Republic of Iran as admissible under the regime of article 51 of the Convention on the Rights of the Child and article 19 of the Vienna Convention on the Law of Treaties unless Iran, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention on the Rights of the Child.

[6 September 1996]

The Government of Austria has examined the contents of the reservation made by Malaysia ... upon accession to the [Convention] which read as follows ... [see text below under Finland].

Under article 19 of the Vienna Convention on the Law of Treaties - which is reflected in article 51 of the Convention on the Rights of the Child - a reservation, in order to be admissible under international law, has to be compatible with the object and purpose of the treaty concerned. A reservation is incompatible with the object and purpose of the treaty if it intends to derogate provisions the implementation of which is essential to fulfilling its object and purpose.

The Government of Austria has examined the reservation made by Malaysia ... to the [Convention]. Given the general character of the reservation a final assessment as to its admissibility under international law cannot be made without further clarification.

Until the scope of the legal effects of this reservation is sufficiently specified by Malaysia ..., the Republic of Austria considers [this reservation] as not affecting any provision the implementation of which is essential to fulfilling the object and purpose of the [Convention].

Austria, however, objects to the admissibility of the reservation in question if the application of this reservation negatively affects the compliance by Malaysia ... with its obligations under the [Convention] essential for the fulfilment of its object and purpose.

Austria could not consider the reservation made by Malaysia ... as admissible under the regime of article 51 of the [Convention] and article 19 of the Vienna Convention on the Law of Treaties unless Malaysia ..., by providing additional information or through subsequent practice ensure[s] that the reservations are compatible with the provisions essential for the implementation of the object and purpose of the [Convention].

[3 March 1997]

Austria has examined the reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam at the time of its [accession] to the Convention on the Rights of the Child, which read as follows:

> "The Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam expresses its reservations on the provisions of the said Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion, and without prejudice to the generality of the said reservations, in particular expresses its reservations on articles 14, 20 and 21 of the Convention."

Austria is of the view that these general reservations raise doubts as to the commitment of Brunei Darussalam to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interests of States that treaties to which they have chosen to become Parties are respected, as to their object and purpose, by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

Austria is further of the view that general reservations of the kind made by the Government of Brunei Darussalam, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international law.

Given the general character of these reservations a final assessment as to their admissibility under international law cannot be made without further clarification.

Until the scope of the legal effects of those reservations are sufficiently specified by the Government of Brunei Darussalam, Austria considers the reservation as not affecting any provision the implementation of which is essential to fulfilling the object and purpose of the Convention.

In Austria's view, however, the reservations in question are inadmissible to the extent as its application negatively affects the compliance by the Government of Brunei Darussalam with its obligations under the Convention essential for the fulfilment of its object and purpose.

Austria does not consider the reservation made by the Government of Brunei Darussalam as admissible unless the Government of Brunei Darussalam, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention.

This view by Austria would not preclude the entry into force in its entirety of the Convention between Brunei Darussalam and Austria.

Austria has examined the reservations made by the Government of Saudi Arabia at the time of its accession to the Convention on the Rights of the Child which read as follows:

> "... entering reservations with respect to all such articles as are in conflict with the provisions of Islamic law."

Austria is of the view that these general reservations raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interests of States that treaties to which they have chosen to become Parties are respected, as to their object and purpose, by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

Austria is further of the view that general reservations of the kind made by the Government of Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

Given the general character of these reservations a final assessment as to their admissibility under international law cannot be made without further clarification.

Until the scope of the legal effects of these reservations is sufficiently specified by the Government of Saudi Arabia, Austria considers the reservation as not affecting any provision the implementation of which is essential to fulfilling the object and purpose of the Convention.

In Austria's view, however, the reservations in question are inadmissible to the extent as its application negatively affects the compliance by Saudi Arabia with its obligations under the Convention essential for the fulfilment of its object and purpose.

Austria does not consider the reservation made by the Government of Saudi Arabia as admissible unless the Government of Saudi Arabia, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention.

This view by Austria would not preclude the entry into force in its entirety of the Convention between Saudi Arabia and Austria.

Austria has examined the contents of the reservations made by the Government of the Republic of Kiribati at the time of its [accession] to the Convention on the Rights of the Child which read as follows:

> "Reservation
>
> The instrument of ratification by the Government of the Republic of Kiribati contains reservations in respect of article 24, paragraph (b, c, d, e and f), article 26 and article 28, paragraph (b, c and d), in accordance with article 51, paragraph 1, of the Convention.
>
> Declaration
>
> The Republic of Kiribati considers that a child's rights as defined in the Convention, in particular the rights defined in articles 12-16 shall be exercised with respect for parental authority, in accordance with the I-Kiribati customs and traditions regarding the place of the child within and outside the family."

Austria is of the view that reservations, by which a State limits its responsibilities under the Convention in a general and unspecified manner, and by invoking general principles of internal law create doubts as to the commitment of the Republic of Kiribati with its obligations under the Convention, essential for the fulfilment of its object and purpose.

Given the general character of these reservations a final assessment as to their admissibility under international law cannot be made without further clarification.

Until the scope of the legal effects of these reservations is sufficiently specified by the Government of [Kiribati], Austria considers the reservation as not affecting any provision the implementation of which is essential to fulfilling the object and purpose of the Convention.

In Austria's view, however, the reservations in question are inadmissible to the extent as its application negatively affects the compliance by the Republic of Kiribati with its obligations under the Convention, essential for the fulfilment of its object and purpose.

Austria does not consider the reservations made by the Republic of Kiribati as admissible under the regime of article 51 of the Convention and article 19 of the Vienna Convention on the Law of Treaties unless the Republic of Kiribati, by providing additional information or through subsequent practice ensure that the reservations are compatible with the provisions essential for the implementation of the object and purpose of the Convention.

This view by Austria would not preclude the entry into force in its entirety of the Convention between the Republic of Kiribati and Austria.

BELGIUM

[7 November 1996]

The Government of Belgium has noted the declarations and reservations expressed by Singapore concerning the Convention on the Rights of the Child.

The Government considers that paragraph 2 of the declarations, concerning articles 19 and 37 of the Convention, and paragraph 3 of the reservations, concerning the constitutional limits upon the acceptance of the obligations contained in the Convention, are contrary to the purposes of the Convention and are consequently without effect under international law.

DENMARK

[16 October 1995]

The Government of Denmark has examined the reservations made by Djibouti, the Islamic Republic of Iran, Pakistan and the Syrian Arab Republic upon ratification of the Convention on the Rights of the Child.

Because of their unlimited scope and undefined character these reservations are incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law. Therefore, the Government of Denmark objects to these reservations. The Convention remains in force in its entirety between Djibouti, the Islamic Republic of Iran, Pakistan, the Syrian Arab Republic respectively and Denmark.

It is the opinion of the Government of Denmark that no time limit applies to objections against reservations which are inadmissible under international law.

The Government of Denmark recommends to the Governments of Djibouti, the Islamic Republic of Iran, Pakistan and the Syrian Arab Republic to reconsider their reservations to the Convention on the Rights of the Child.

[10 February 1997]

The Government of Denmark has examined the reservations made by the Government of Brunei Darussalam upon accession to the Convention on the Rights of the Child.

The Government of Denmark finds that the general reservation with reference to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam is of unlimited scope and undefined character. Consequently, the Government of Denmark considers the said reservation as being incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law. Furthermore, it is a general principle of international law that national law may not be invoked as justification for failure to perform treaty obligations.

The Convention remains in force in its entirety between Brunei Darussalam and Denmark.

It is the opinion of the Government of Denmark, that no time limit applies to objections against reservations, which are inadmissible under international law.

The Government of Denmark recommends the Government of Brunei Darussalam to reconsider its reservation to the Convention on the Rights of the Child.

The Government of Denmark has examined the reservations made by the Government of Saudi Arabia upon accession to the Convention on the Rights of the Child.

The Government of Denmark finds that the general reservation with reference to the provisions of Islamic law is of unlimited scope and undefined character. Consequently, the Government of Denmark considers the said reservation as being incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law. Furthermore, it is a general principle of international law that national law may not be invoked as justification for failure to perform treaty obligations.

The Convention remains in force in its entirety between Saudi Arabia and Denmark.

It is the opinion of the Government of Denmark, that no time limit applies to objections against reservations, which are inadmissible under international law.

The Government of Denmark recommends the Government of Saudi Arabia to reconsider its reservation to the Convention on the Rights of the Child.

FINLAND

[25 July 1991]

The Government of Finland has taken note of the reservation made by the Republic of Indonesia upon ratification of the said Convention, by which Indonesia expresses that "With reference to the provisions of articles 1, 14, 16, 17, 21, 22 and 29 of this Convention, the Government of the Republic of Indonesia declares that it will apply these articles in conformity with its Constitution".

In the view of the Government of Finland this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty. For the above reason the Government of Finland objects to the said reservation. However, the Government of Finland does not consider that this objection constitutes an obstacle to the entry into force of the said Convention between Finland and the Republic of Indonesia.

The Government of Finland has taken note of the reservation made by Pakistan upon signature of the said Convention, by which Pakistan expresses that "Provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values".

In the view of the Government of Finland this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty. For the above reason the Government of Finland objects to the said reservation. However, the Government of Finland does not consider that this objection constitutes an obstacle to the entry into force of the said Convention between Finland and Pakistan.

[9 June 1993]

The Government of Finland has examined the contents of the reservation made by Jordan upon ratification, by which Jordan states "The Hashemite Kingdom of Jordan expresses its reservation and does not consider itself bound by articles 14, 20 and 21 of the Convention, which grant the child the right of freedom of choice of religion and concern the question of adoption, since they are at variance with the precepts of the tolerant Islamic Shariah".

In the view of the Government of Finland this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke general principles of national law as justification for failure to perform its treaty obligations. For the above reason the Government of Finland objects to the said reservations. However, the Government of Finland does not consider that this objection constitutes an obstacle to the entry into force of the said Convention between Finland and Jordan.

The Government of Finland has examined the contents of the reservation made by Qatar upon signature of the said Convention, by which Qatar expresses that "The State of Qatar wishes to make a general reservation with regard to those provisions of the Convention which are incompatible with Islamic Law".

In the view of the Government of Finland this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of internal law as justification for failure to perform its treaty obligations. For the above reason the Government of Finland objects to the said reservation. However, the Government of Finland does not consider that this objection constitutes an obstacle to the entry into force of the said Convention between Finland and Qatar.

[24 June 1994]

The Government of Finland has examined the contents of the reservation made by the Government of the Syrian Arab Republic upon ratification of the said Convention, in which it states: "The Syrian Arab Republic has reservations on the provisions of the Convention which are not in conformity with the legislation of the Syrian Arab Republic and with the principles of the Islamic Shariah, in particular the content of article 14 related to the right of the child to freedom of religion, and articles 20 and 21 concerning adoption."

In view of the Government of Finland, the unlimited and undefined character of the first part of the said reservation creates serious doubts about the commitment of the reserving State to fulfil its obligations under the Convention. In its present formulation the reservation is clearly contrary to the object and purpose of the Convention. Therefore, the Government of Finland objects to such reservation.

The Government of Finland also recalls that the said reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as a justification for failure to perform its treaty obligations.

The Government of Finland does not, however, consider that this objection constitutes an obstacle to the entry into force of the Convention between Finland and the Syrian Arab Republic.

[5 September 1995]

The Government of Finland has examined the contents of the reservation made by the Government of the Islamic Republic of Iran upon ratification of the said Convention, by which it expresses that "the Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic laws and the internal legislation in effect".

In the view of the Government of Finland, the unlimited and undefined character of the said reservation leaves open to what extent the reserving State commits itself to the Convention and therefore creates serious doubts about the commitment of the reserving State to fulfil its obligations under he Convention. The reservation made by the Islamic Republic of Iran does not learly identify which particular provisions of the Convention the Islamic epublic of Iran does not intend to apply. In the view of the Government of inland, reservations of such comprehensive and unspecified nature may ontribute to undermining the basis of international human rights treaties.

The Government of Finland also recalls that the said reservation is ubject to the general principle of the observance of treaties according to hich a party may not invoke the provisions of its internal law as ustification for its failure to perform its treaty obligations. It is in the ommon interest of States that contracting parties to international treaties re prepared to undertake the necessary legislative changes in order to fulfil he object and purpose of the treaty. Moreover, the internal legislation is lso subject to changes which might further expand the unknown effects of the eservation.

In its present formulation the reservation is clearly incompatible with he object and purpose of the Convention and therefore inadmissible under rticle 51, paragraph 2, of the Convention on the Rights of the Child. herefore, the Government of Finland objects to such reservation. The overnment of Finland further notes that the reservation made by the overnment of the Islamic Republic of Iran is devoid of legal effect.

The Government of Finland recommends the Government of the slamic Republic of Iran to reconsider its reservations to the Convention on he Rights of the Child.

[6 September 1996]

The Government of Finland has examined the contents of the reservation ade by the Government of Malaysia upon accession to the Convention on the ights of the Child, in which it states that "The Government of Malaysia ccepts the provisions of the Convention on the Rights of the Child but xpresses reservations with respect to articles 1, 2, 7, 13, 14, 15, 22, 28, 7, 40, paragraphs 3 and 4, 44 and 45 of the Convention and declares that the aid provisions shall be applicable only if they are in conformity with the onstitution, national laws and national policies of the Government of alaysia".

The reservation made by Malaysia covers several central provisions of he Convention on the Rights of the Child. The broad nature of the said eservation leaves open to what extent Malaysia commits itself to the onvention and to the fulfilment of its obligations under the Convention. In he view of the Government of Finland reservations of such a comprehensive ature may contribute to undermining the basis of international human rights reaties.

The Government of Finland also recalls that the said reservation is ubject to the general principle of the observance of the treaties according o which a party may not invoke its internal law, much less its national olicies, as justification for its failure to perform its treaty obligations.

It is in the common interest of States that contracting parties to international treaties are prepared to undertake the necessary legislative changes in order to fulfil the object and purpose of the treaty.

Moreover, the internal legislation as well as the national policies are also subject to changes which might further expand the unknown effects of the reservation.

In its present formulation the reservation is clearly incompatible with the object and purpose of the Convention and therefore inadmissible under article 51, paragraph 2, of the Convention on the Rights of the Child. Therefore, the Government of Finland objects to such reservation. The Government of Finland further notes that the reservation made by the Government of Malaysia is devoid of legal effect.

The Government of Finland recommends the Government of Malaysia to reconsider its reservation to the Convention on the Rights of the Child.

[13 September 1996]

The Government of Finland has examined the contents of the reservation made by the Government of the State of Qatar upon ratification of the Convention on the Rights of the Child, by which it expresses that [the State of Qatar] enter(s) a ... general reservation by the State of Qatar in respect of any provisions that conflict with the provisions of the Islamic Shariah.

In the view of the Government of Finland, the unlimited and undefined character of the said reservation leaves open to what extent the State of Qatar commits itself to the Convention and to the fulfilment of its obligations under the Convention. The reservation made by the State of Qatar does not clearly identify which particular provisions of the Convention the State of Qatar does not intend to apply. In the view of the Government of Finland, reservations of such a comprehensive and unspecified nature may contribute to undermining the basis of international human rights treaties.

The Government of Finland also recalls that the said reservation is subject to the general principle of the observance of treaties according to which a party may not invoke its internal law as justification for its failure to perform its treaty obligations. It is in the common interest of States that contracting parties to international treaties are prepared to undertake the necessary legislative changes in order to fulfil the object and purpose of the treaty. Moreover, the internal legislation is also subject to changes which might further expand the unknown effects of the reservation.

In its present formulation the reservation is clearly incompatible with the object and purpose of the Convention and therefore inadmissible under article 51, paragraph 2, of the Convention on the Rights of the Child. Therefore, the Government of Finland objects to such reservation. The Government of Finland further notes that the reservation made by the Government of the State of Qatar is devoid of legal effect.

The Government of Finland recommends the Government of the State of Qatar to reconsider its reservation to the Convention on the Rights of the Child.

[26 November 1996]

The Government of Finland has examined the contents of the declarations and reservations made by the Government of the Republic of Singapore upon accession to the said Convention. The Government of Finland considers paragraph 2 of the declarations as a reservation.

The reservations made in paragraphs 2 and 3 by the Republic of Singapore, consisting of a general reference to national law without stating unequivocally the provisions the legal effect of which may be excluded or modified, do not clearly define to the other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore create doubts about the commitment of the reserving State to fulfil its obligations under the said Convention. Reservations of such unspecified nature may contribute to undermining the basis of international human rights treaties.

The Government of Finland also recalls that these reservations of the Republic of Singapore are subject to the general principle of observance of treaties according to which a party may not invoke the provisions of its internal law as justification for failure to perform its treaty obligations. It is in the common interest of States that Parties to international treaties are prepared to take the necessary legislative changes in order to fulfil the object and purpose of the treaty.

The Government of Finland considers that in their present formulation these reservations made by the Republic of Singapore are incompatible with the object and purpose of the said Convention and therefore, inadmissible under article 51, paragraph 2, of the said Convention. In view of the above, the Government of Finland objects to these reservations and notes that they are devoid of legal effect.

[20 March 1997]

The Government of Finland has examined the reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam at the time of its accession to the Convention on the Rights of the Child.

The Government of Finland notes that the said reservations include reservations of a general kind in respect of the provisions of the Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion.

The Government of Finland is of the view that these general reservations raise doubts as to the commitment of Brunei Darussalam to the object and purpose of the Convention and would recall that, according to paragraph 2 of rticle 51 of the Convention, a reservation incompatible with the object and urpose of the Convention shall not be permitted.

It is in the common interests of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Finland is further of the view that general reservations of the kind made by the Government of Brunei Darussalam, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Finland therefore objects to the aforesaid general reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam to the Convention on the Rights of the Child which are considered to be inadmissible.

This objection does not preclude the entry into force in its entirety of the Convention between Brunei Darussalam and Finland.

The Government of Finland has examined the reservations made by the Government of Saudi Arabia at the time of its accession to the Convention on the Rights of the Child.

The Government of Finland notes that the said reservations relate to all such articles of the Convention as are in conflict with the provisions of Islamic law.

The Government of Finland is of the view that these general reservations raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Finland is further of the view that general reservations of the kind made by the Government of Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contributed to undermining the basis of international treaty law.

The Government of Finland therefore objects to the aforesaid general reservations made by the Government of Saudi Arabia to the Convention on the Rights of the Child which are considered to be inadmissible.

This objection does not preclude the entry into force in its entirety of the Convention between Saudi Arabia and Finland.

GERMANY

[25 June 1992]

The Federal Republic of Germany considers that the reservations made by the Union of Myanmar regarding articles 15 and 37 of the Convention on the Rights of the Child are incompatible with the object and purpose of the Convention (art. 51, para. 2) and therefore objects to them.

This objection shall not preclude the entry into force of the Convention as between the Union of Myanmar and the Federal Republic of Germany.

[17 March 1993]

The Federal Republic of Germany considers the first of the declarations deposited by the Republic of Tunisia to be a reservation. It restricts the application of the first sentence of article 4 to the effect that any national legislative or statutory decisions adopted to implement the Convention may not conflict with the Tunisian Constitution. Owing to the very general wording of this passage the Government of the Federal Republic of Germany is unable to perceive which provisions of the Convention are covered, or may be covered at some time in the future, by the reservation and in what manner. There is a similar lack of clarity with regard to the reservation relating to article 2.

The Government of the Federal Republic of Germany therefore objects to both these reservations. This objection does not prevent the Convention from entering into force as between the Federal Republic of Germany and the Republic of Tunisia.

[21 September 1994]

The Government of the Federal Republic of Germany has examined the reservation contained in the instrument of ratification of the Government of the Syrian Arab Republic, which reads as follows: "The Syrian Arab Republic has reservations on the provisions of the Convention which are not in conformity with the legislation of the Syrian Arab Republic and with the principles of the Islamic Shariah, in particular the content of article 14 related to the right of the child to the freedom of religion, and articles 20 and 21 concerning adoption."

This reservation, owing to its indefinite nature, does not meet the requirements of international law. The Government of the Federal Republic of Germany therefore objects to the reservation made by the Syrian Arab Republic.

This objection shall not preclude the entry into force of the Convention as between the Syrian Arab Republic and the Federal Republic of Germany.

[11 August 1995]

The Government of the Federal Republic of Germany has examined the reservation contained in the instrument of ratification by the Government of the Islamic Republic of Iran, which reads as follows: "The Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic Laws and the internal legislation in effect."

This reservation, owing to its unlimited scope and undefined character, is inadmissible under international law. The Government of the Federal Republic of Germany, therefore, objects to the reservation made by the Islamic Republic of Iran.

This objection shall not preclude the entry into force of the Convention as between the Islamic Republic of Iran and the Federal Republic of Germany.

[20 March 1996]

The Government of the Federal Republic of Germany has examined the contents of the reservation of the Government of Malaysia contained in the instrument of ratification of the Convention on the Rights of the Child. According to the said reservation the Government of Malaysia enters a reservation in respect of all central provisions of the Convention that conflict with provisions of national laws and national policies of the Government of Malaysia. The Government of the Federal Republic of Germany considers that such a reservation, which seeks to limit the responsibilities of Malaysia under the Convention by invoking practically all principles of national law and national policy, may raise doubts as to the commitment of Malaysia to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international treaty law. It is the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Federal Republic of Germany therefore objects to the said reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between the Federal Republic of Germany and Malaysia.

[11 August 1996]

The Government of the Federal Republic of Germany has examined the contents of the reservation of the Government of Qatar contained in the instrument or ratification of the Convention on the Rights of the Child. According to the said reservation the Government of Qatar enters a general reservation in respect of any provisions of the Convention that conflict with the provisions of the Islamic Shariah. The Government of the Federal Republic of Germany considers that such a reservation, which seeks to limit the responsibilities of Qatar under the Convention by invoking general principles of national law, may raise doubts as to the commitment of Qatar to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international treaty law. It is the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Federal Republic of Germany therefore objects to the said reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between the Federal Republic of Germany and Qatar.

[7 November 1996]

The Government of the Federal Republic of Germany has examined the contents of the reservation of the Government of Singapore contained in the instrument of ratification of the Convention on the Rights of the Child. According to the said reservation (3) the Government of Singapore enters a general reservation in respect of any provisions of the Convention which may go beyond already existing national legislation. Furthermore, the interpretation contained in the said reservation (2) contradicts the clear and unqualified content of articles 19 and 37 of the Convention. The Government of the Federal Republic of Germany considers that such a reservation, which seeks to limit the responsibilities of Singapore under the Convention by restricting them to already existing national legislation and by restricting the application of central articles of the Convention, may raise doubts as to the commitment of Singapore to the object and purpose of the Convention. It is the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Federal Republic of Germany therefore objects to the said reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between the Federal Republic of Germany and Singapore.

[12 February 1997]

The Government of the Federal Republic of Germany has examined the reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam at the time of its [accession to] the Convention on the Rights of the Child.

The Government of the Federal Republic of Germany notes that the said reservations include reservations of a general kind in respect of the provisions of the Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion ... .

The Government of the Federal Republic of Germany is of the view that these general reservations may raise doubts as to the commitment of Brunei Darussalam to the object and purpose of the Convention.

It is the common interest of States that treaties to which they have chosen to become parties should be respected, as to their object and purpose, by all parties.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned general reservations.

This objection does not preclude the entry into force of the Convention between Brunei Darussalam and the Federal Republic of Germany.

The Government of the Federal Republic of Germany has examined the reservations made by the Government of Saudi Arabia at the time of its accession to the Convention on the Rights of the Child.

The Government of the Federal Republic of Germany notes that the said reservations include reservations of a general kind "with respect to all such articles of the Convention as are in conflict with the provisions of Islamic law".

The Government of the Federal Republic of Germany is of the view that these reservations may raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention.

It is the common interest of States that treaties to which they have chosen to become parties should be respected, as to their object and purpose, by all parties.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservations.

This objection does not preclude the entry into force of the Convention between Saudi Arabia and the Federal Republic of Germany.

IRELAND

[28 September 1992]

The Government of Ireland hereby formally makes objection to the reservations made on ratification of the Convention by Bangladesh, Djibouti, Indonesia, Jordan, Kuwait, Myanmar, Pakistan, Thailand, Tunisia, Turkey.

The Government of Ireland considers that such reservations, which seek to limit the responsibilities of the reserving State under the Convention, by invoking general principles of national law, may create doubts as to the commitment of those States to the object and purpose of the Convention.

This objection shall not constitute an obstacle to the entry into force of the Convention between Ireland and the aforementioned States.

[5 September 1995]

The Government of Ireland has examined the reservation made by the Government of the Islamic Republic of Iran upon [ratification] to the United Nations Convention on the Rights of the Child by which it declares:

> "The Government of the Islamic Republic of Iran reserves the right not to apply any provision or articles of the Convention that are incompatible with Islamic Laws and the internal legislation in effect."

The reservation poses difficulties for State parties to the Convention in identifying the provisions of the Convention which the Islamic Government of Iran does not intend to apply and consequently makes it difficult for State parties to the Convention to determine the extent of their treaty relations with the reserving State.

The Government of Ireland hereby formally makes objection to the reservation by the Islamic Republic of Iran.

[6 September 1996]

The Government of Ireland has examined the contents of the reservation of the Government of Malaysia contained in the instrument of ratification of the Convention on the Rights of the Child. According to the said reservation the Government of Malaysia declares ... [see text under Finland above].

Ireland considers that this reservation is incompatible with the object and purpose of the Convention and is therefore prohibited by article 51 (2) of the Convention. The Government of Ireland also considers that it contributes to undermining the basis of international treaty law. The Government of Ireland therefore objects to the said reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between Ireland and Malaysia.

[13 March 1997]

The Government of Ireland has examined the reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam at the time of its [accession to] the Convention on the Rights of the Child.

The Government of Ireland notes that the said reservations include reservations of a general kind in respect of the provisions of the Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion.

The Government of Ireland is of the view that these general reservations raise doubts as to the commitment of Brunei Darussalam to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Ireland is further of the view that general reservations of the kind made by the Government of Brunei Darussalam, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international law.

The Government of Ireland therefore objects to the aforesaid general reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam to the Convention on the Rights of the Child.

This objection does not preclude the entry into force in its entirety of he Convention between Brunei Darussalam and Ireland.

The Government of Ireland has examined the reservations made by the overnment of Saudi Arabia at the time of its accession to the Convention on he Rights of the Child.

The Government of Ireland notes that the said reservations relate to all such articles of the Convention as are in conflict with the provisions of Islamic law.

The Government of Ireland is of the view that these reservations raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Ireland is further of the view that general reservations of the kind made by the Government of Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Ireland therefore objects to the aforesaid general reservations made by the Government of Saudi Arabia to the Convention on the Rights of the Child.

This objection does not preclude the entry into force in its entirety of the Convention between Saudi Arabia and Ireland.

ITALY

[18 July 1994]

The Government of Italy has examined the reservation contained in the instrument of ratification of the Government of the Syrian Arab Republic to the Convention on the Rights of the Child which reads as follows:

> "The Syrian Arab Republic has reservations on the provisions of the Convention which are not in conformity with the legislation of the Syrian Arab Republic and with the principles of the Islamic Shariah, in particular the content of article 14 related to the right of the child to freedom of religion, and articles 2 and 21 concerning adoption."

This reservation is too comprehensive and too general to be compatible with the object and purpose of the Convention. The Government of Italy therefore objects to the reservation made by the Syrian Arab Republic.

This objection shall not preclude the entry into force of the Convention between the Syrian Arab Republic and Italy.

[25 September 1995]

The Government of the Italian Republic has examined the reservation contained in the instrument of ratification by the Government of the Islamic Republic of Iran, which reads as follows:

> "The Government of the *Islamic Republic of Iran reserves the* right not to apply any provision or articles of the Convention that are incompatible with Islam Laws and the internal legislation in effect."

This reservation, owing to its unlimited scope and undefined character, is inadmissible under international law. The Government of the Italian Republic, therefore, objects to the reservation made by the Islamic Republic of Iran. This objection shall not preclude the entry into force of the Convention as between the Islamic Republic of Iran and [the] Italian Republic.

[13 September 1996]

The Government of the Italian Republic has examined the reservation contained in the instrument of ratification by the Government of the State of Qatar, which enters a general reservation in respect of any provisions that conflict with the provisions of the Islamic Shariah. The Government of the Italian Republic considers that such a reservation, which seeks to limit the responsibilities of Qatar under the Convention by invoking general principles of national law, may raise doubts as to the commitment of Qatar to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become Parties should be respected, as to the objects and the purpose, by all Parties. The Government of the Italian Republic therefore objects to this reservation. This objection does not constitute an obstacle to the entry into force of the Convention between the Government of the Italian Republic and the State of Qatar.

[23 December 1996]

The Government of the Italian Republic has examined the reservation contained in the instrument of [accession] by the Government of Brunei Darussalam. The Government of Italy notes that the said reservation includes reservations of a general kind in respect of the provisions of the Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion.

The Government of Italy is of the view that these general reservations raise doubts as to the commitment of Brunei Darussalam to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become Parties are respected, as to their object and purpose, by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under treaties to which they become parties.

The Government of Italy is further of the view that general reservations of the kind made by the Government of Brunei Darussalam to the Convention contribute to undermining the basis of international treaty law.

The Government of Italy therefore objects to the above-mentioned general reservations.

This objection does not preclude the entry into force of the Convention etween Brunei Darussalam and the Republic of Italy.

[31 December 1996]

The Government of the Italian Republic has examined the reservation contained in the instrument of accession by the Republic of Singapore, which enters a general reservation in respect of any provisions that conflict with the internal constitutional law.

The Government of the Italian Republic considers that such reservation, which seeks to limit the responsibilities of Singapore under the Convention by invoking its constitutional law, may raise doubts as to the commitment of Singapore to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international treaty law. It is the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Italian Republic therefore objects to this reservation. This objection does not constitute an obstacle to the entry into force of the Convention between the Italian Republic and the Republic of Singapore.

NETHERLANDS

[6 February 1995]

With regard to the reservations made by Djibouti, Indonesia, Pakistan, the Syrian Arab Republic and Iran upon ratification:

The Government of the Kingdom of the Netherlands considers that such reservations, which seek to limit the responsibilities of the reserving State under the Convention by invoking general principles of national law, may raise doubts as to the commitment of these States to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands therefore objects to these reservations.

This objection does not constitute an obstacle to the entry into force of the Convention between the Kingdom of the Netherlands and the aforementioned States.

[6 September 1996]

The Government of the Kingdom of the Netherlands considers, with regard to the reservations made by Malaysia relating to the Convention on the Rights of the Child, that such reservations, which seek to limit the responsibilities of the reserving State under the central provisions of the Convention by invoking the Constitution, national laws and national policies, raise serious doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands

herefore objects to these reservations. This objection shall not preclude he entry into force of the Convention between the Kingdom of the Netherlands nd Malaysia.

[13 September 1996]

The Government of the Kingdom of the Netherlands considers, with regard o the reservation made by Qatar relating to the Convention on the Rights of he Child, that such reservations which seek to limit the responsibilities of he reserving State under the Convention by invoking general principles of ational law, may raise doubts as to the commitment of this State to the bject and purpose of the Convention and, moreover, contribute to undermining he basis of international treaty law. It is in the common interest of States hat treaties to which they have chosen to become parties should be respected, s to object and purpose, by all parties. The Government of the Kingdom of he Netherlands therefore objects to this reservation. This objection shall ot preclude the entry into force of the Convention between the Kingdom of the etherlands and Qatar.

[6 November 1997]

The Government of the Kingdom of the Netherlands having examined the eclarations and reservations made by Singapore upon its accession to the onvention on the Rights of the Child, considers paragraph 2 of the eclarations as a reservation. The Government of the Kingdom of the etherlands considers in respect of paragraph 2 of the declarations and aragraph 3 of the reservations that such reservations, which seek to limit he responsibilities of the reserving State under the Convention by invoking eneral principles of national law and the Constitution, raise doubts as to he commitment of this State to the object and purpose of the Convention and, oreover contribute to undermining the basis of international treaty law. It s in the common interest of States that treaties to which they have chosen to ecome parties should be respected, as to object and purpose, by all parties.

The Government of the Kingdom of the Netherlands therefore objects to hese reservations.

This objection shall not preclude the entry into force of the Convention tween the Kingdom of the Netherlands and Singapore.

[3 March 1997]

The Kingdom of the Netherlands has examined the reservations made by the vernment of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam the time of its [accession to] the Convention on the Rights of the Child.

The Kingdom of the Netherlands notes that the said reservations include servations of a general kind in respect of the provisions of the Convention ich may be contrary to the Constitution of Brunei Darussalam and to the liefs and principles of Islam, the State religion.

The Kingdom of the Netherlands is of the view that these reservations, ich seek to limit the responsibilities of the reserving State by invoking the Constitution and general principles of national law may raise doubts as to the commitment of Brunei Darussalam to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Kingdom of the Netherlands is further of the view that general reservations of the kind made by the Government of Brunei Darussalam, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law. The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam to the Convention on the Rights of the Child.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Brunei Darussalam.

The Kingdom of the Netherlands has examined the reservations made by the Government of Saudi Arabia at the time of its accession to the Convention on the Rights of the Child.

The Kingdom of the Netherlands notes that the said reservations relate to all such articles of the Convention as are in conflict with the provision of Islamic Law. The Kingdom of the Netherlands is of the view that these reservations, which seek to limit the responsibilities of the reserving State by invoking general principles of national law, may raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention, and would recall that according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Kingdom of the Netherlands is further of the view that general reservations of the kind made by the Government of Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Saudi Arabia to the Convention on the Rights of the Child.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Saudi Arabia.

The Government of the Kingdom of the Netherlands has examined the declaration made by the Government of Kiribati relating to articles 12-16 of the Convention on the Rights of the Child, and considers this declaration to be a reservation.

The Government of the Kingdom of the Netherlands considers that this declaration, which seeks to limit the responsibilities of the reserving State by invoking general principles of national law, may raise doubts as to the commitment of Kiribati to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands would like to recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid declaration made by the Government of Kiribati to the Convention on the Rights of the Child. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Kiribati.

The Government of the Kingdom of the Netherlands has examined the reservations made by the Government of Liechtenstein relating to articles 7 and 10 of the Convention on the Rights of the Child.

The Government of the Kingdom of the Netherlands is of the view that these reservations, which seek to limit the responsibilities of the reserving State by invoking national law, may raise doubts as to the commitment of Liechtenstein to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands would like to recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Liechtenstein to the above Convention. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Liechtenstein.

[6 March 1997]

The Government of the Kingdom of the Netherlands has examined the reservations made by the Government of Andorra relating to articles 7 and 8 of the Convention on the Rights of the Child. The Government of the Kingdom of the Netherlands is of the view that these reservations which seek to limit the responsibilities of the reserving State by invoking national law, may raise doubts as to the commitment of Andorra to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands would like to recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Andorra to the Convention on the Rights of the Child.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Andorra.

NORWAY

[30 December 1991]

The Government of Norway has examined the contents of the reservation made by the Republic of Djibouti, by which the Republic of Djibouti expresses that "(The Government of the Republic of Djibouti) hereby formally declares its accession to the Convention and pledges, on behalf of the Republic of Djibouti, to adhere to it conscientiously and at all times, except that it shall not consider itself bound by any provisions or articles that are incompatible with its religion and its traditional values."

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may create doubts about the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to object and purpose, by all parties. The Government of Norway, therefore, objects to this reservation.

This objection shall not constitute an obstacle to the entry into force of the Convention between Norway and the Republic of Djibouti.

The Government of Norway has examined the contents of the reservation made by the Republic of Indonesia, by which the Republic of Indonesia expresses that "The ratification of the Convention on the Rights of the Child by the Republic of Indonesia does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligation to introduce any right beyond those prescribed under the Constitution" and further "With reference to the provisions of articles 1, 14, 16, 17, 21, 22 and 29 of this Convention, the Government of the Republic of Indonesia declares that it will apply these articles in conformity with its Constitution".

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may create doubts about the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to object and purpose, by all parties. The Government of Norway, therefore, objects to this reservation.

This objection shall not constitute an obstacle to the entry into force of the Convention between Norway and the Republic of Indonesia.

The Government of Norway has examined the contents of the reservation made by Pakistan, by which Pakistan expresses that "The provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values".

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may create doubts about the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to object and purpose, by all parties. The Government of Norway, therefore, objects to this reservation.

This objection shall not constitute an obstacle to the entry into force of the Convention between Norway and Pakistan.

[25 October 1994]

The Government of Norway has examined the content of the reservation made by the Syrian Arab Republic upon ratification, which reads as follows:

> "The Syrian Arab Republic has reservations on the provisions of the Convention which are not in conformity with the legislation of the Syrian Arab Republic and with the principles of the Islamic Shariah, in particular the content of article 14 related to the right of the child to freedom of religion, and articles 20 and 21 concerning adoption."

In the view of the Government of Norway, a reservation by which a State party limits its responsibilities under the Convention by invoking general principles of internal law may create doubts about the commitments of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermine the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties also are respected, as to their object and purpose, by all parties. Furthermore, under well established international treaty law, a State is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. For these reasons, the Government of Norway objects to Syria's reservations.

The Government of Norway does not consider this objection to constitute an obstacle to the entry into force of the above-stated Convention between the Kingdom of Norway and the Syrian Arab Republic.

[5 September 1995]

The Government of Norway has examined the contents of the reservation made by Iran upon accession, which reads as follows:

> "[T]he Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic Laws and the internal legislation in effect."

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of internal law may create doubts about the commitment of the reserving State party to the object and purpose of the Convention. Furthermore, under well-established international treaty law, a State party may not invoke the provisions of its internal law as justification for its failure to perform a treaty. It is in the common interest of States that a treaty is respected by all parties as to its object and purpose. Norway maintains that the Iranian reservation, due to its unlimited scope and undefined character, is inadmissible under international law. For these reasons, the Government of Norway objects to the reservation made by the Islamic Republic of Iran.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and the Islamic Republic of Iran.

[6 September 1996]

The Government of Norway has examined the contents of the reservation made by Malaysia upon accession, which reads as follows ... [see text under Finland above].

The Government of Norway considers that the reservation made by the Government of Malaysia, due to its very broad scope and undefined character, is incompatible with the object and purpose of the Convention, and thus not permitted under article 51, paragraph 2, of the Convention. Moreover, the Government of Norway considers that the monitoring system established under the Convention is not optional and that, accordingly, reservations with respect to articles 44 and 45 of the Convention are not permissible. For these reasons, the Government of Norway objects to the reservation made by the Government of Malaysia.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and Malaysia.

[13 September 1996]

The Government of Norway has examined the contents of the reservation made by Qatar upon ratification, which reads as follows: "[The State of Qatar] enter(s) a ... general reservation [...] in respect of any provisions that conflict with the provisions of the Islamic Shariah."

The Government of Norway considers that the reservation made by the State of Qatar, due to its unlimited scope and undefined character, is inadmissible under international law. For that reason, the Government of Norway objects to the reservation made by the State of Qatar.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and the State of Qatar.

[29 November 1996]

The Government of Norway has examined the contents of the declarations and reservations made by the Government of Singapore upon accession to the said Convention.

The Government of Norway considers that reservation (3) made by the Republic of Singapore, due to its unlimited scope and undefined character, is contrary to the object and purpose of the Convention, and thus impermissible under article 51, paragraph 2, of the Convention.

Furthermore, the Government of Norway considers that declaration (2) made by the Republic of Singapore, insofar as it purports to exclude or to modify the legal effect of articles 19 and 37 of the Convention, also constitutes a reservation impermissible under the Convention, due to the fundamental nature of the rights concerned and the unspecified reference to domestic law.

For these reasons, the Government of Norway objects to the said reservations made by the Government of Singapore. The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and the Republic of Singapore.

[4 March 1997]

The Government of Norway has examined the contents of the reservations made by Brunei Darussalam upon [accession to] the said Convention, which reads as follows:

> "The Government of Brunei Darussalam expresses its reservations on the provisions of the said Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion, and without prejudice to the generality of the said reservations, in particular expresses its reservations on articles 14, 20 and 21 of the Convention."

The Government of Norway considers that the reservations made by the Government of Brunei Darussalam, due to its unlimited scope and undefined character, is contrary to the object and purpose of the Convention and thus impermissible under article 51, paragraph 2, of this Convention. Under well-established treaty law, a State Party is not permitted to invoke internal law as a justification for its failure to perform treaty obligations. For these reasons, the Government of Norway objects to the said reservations by the Government of Brunei Darussalam.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and the Kingdom of Brunei Darussalam.

[13 March 1997]

The Government of Norway has examined the contents of the reservations made by the Government of Saudi Arabia upon accession to the said Convention, which reads as follows: "... entering reservations with respect to all such articles as are in conflict with the provisions of Islamic law".

The Government of Norway considers that the reservation made by the Government of Saudi Arabia, due to its unlimited scope and undefined character, is contrary to the object and purpose of the Convention, and thus impermissible under article 51, paragraph 2, of the Convention. Under well-established treaty law, a State party may not invoke the provisions of its internal law as justification for its failure to perform treaty obligations. For these reasons, the Government of Norway objects to the reservation made by the Government of Saudi Arabia.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and the Kingdom of Saudi Arabia.

PORTUGAL

[15 July 1992]

The Government of Portugal considers that reservations by which a State limits its responsibilities under the Convention by invoking general principles of National Law may create doubts on the commitments of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of International Law. It is in the common interest of States that Treaties to which they have chosen to become parties also are respected, as to object and purpose, by all parties. The Government therefore objects to the reservations.

This objection shall not constitute an obstacle to the entry into force of the Convention between Portugal and Myanmar.

The Government of Portugal furthermore notes that, as a matter of principle, the same objection could be made to the reservations presented by Bangladesh, Djibouti, Indonesia, Kuwait, Pakistan and Turkey.

[3 December 1996]

The Government of Portugal has examined the contents of the reservations made by the Government of Singapore to the [above] Convention.

In the view of the Government of Portugal, reservations by which a State limits its responsibilities under the Convention in a broad and vague manner and by invoking general principles of internal law, may raise doubts on the commitments of the reserving State to the object and purpose of the Convention, and contribute to undermining the basis of international law. It is the common interest of States that treaties to which they have freely chosen to become parties should be respected, as to the object and purpose, by all parties. The Government of Portugal therefore objects to these reservations.

This objection does not constitute an obstacle to the entry into force of the Convention between Portugal and Singapore.

[30 January 1997]

The Government of Portugal has examined the contents of the reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam at the time of its [accession to] the [above] Convention.

The Government of Portugal notes that the said reservations include reservations of a general kind in respect of the provisions of the Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion.

The Government of Portugal is of the view that these general reservations raise doubts as to the commitment of Brunei Darussalam to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Portugal is further of the view that general reservations of the kind made by the Government of Brunei Darussalam, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Portugal therefore objects to the aforesaid general reservations made by the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam to the [above] Convention.

The objection does not preclude the entry into force in its entirety of the Convention between Portugal and Brunei Darussalam.

The Government of Portugal has examined the reservations made by the Government of the Republic of Kiribati at the time of this [accession to] the [above] Convention.

In the view of the Government of Portugal, reservations by which a State limits its responsibilities under the Convention in a broad and vague manner and by invoking general principles of internal law, may raise doubts on the commitments of the reserving State to the object and purpose of the Convention, and contribute to undermining the basis of international law. It is the common interest of States that treaties to which they have freely chosen to become parties are respected, as to the object and purpose, by all parties. The Government of Portugal therefore objects to these reservations.

This objection does not preclude the entry into force in its entirety of the Convention between Portugal and Kiribati.

The Government of Portugal has examined the contents of the reservations made by the Government of Saudi Arabia at the time of its accession to the [above] Convention.

The Government of Portugal notes that the said reservations relate to all such articles of the Convention as are in conflict with the provisions of Islamic law.

The Government of Portugal is of the view that these reservations raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention and would recall that, according to paragraph 2 of article 51 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Portugal is further of the view that general reservations of the kind made by the Government of Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Portugal therefore objects to the aforesaid general reservations made by the Government of Saudi Arabia to the [above] Convention.

This objection does not preclude the entry into force in its entirety of the Convention between Portugal and Saudi Arabia.

[13 December 1994]

The Government of Portugal has examined the contents of the reservation made by the Islamic Republic of Iran, according to which the Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic laws and the internal legislation in effect.

A reservation by which a State limits its responsibilities under the Convention in a broad and vague manner and by invoking its internal law may create doubts on the commitments of the reserving State to the object and purpose of the Convention and contribute to undermining the basis of international law. It is the common interest of States that treaties to which they have chosen to become parties also are respected, as to the object and purpose, by all parties. The Government of Portugal therefore objects to this reservation.

This objection shall not constitute an obstacle to the entry into force of the Convention between Portugal and the Islamic Republic of Iran.

[4 December 1995]

The Government of Portugal has examined the contents of the reservation made by Malaysia, according to which "the Government of Malaysia accepts the provisions of the Convention on the Rights of the Child with respect to articles 1, 2, 7, 13, 14, 15, 22, 28, 37, 40, paragraphs 3 and 4, 44 and 45 of the Convention and declares that the said provisions shall be applicable only if they are in conformity with the Constitution, national laws and national policies of the Government of Malaysia".

A reservation by which a State limits its responsibilities under the Convention in a broad and vague manner and by invoking its internal law and national policies may raise doubts as to the commitment of that State to the objectives and purposes of the Convention, and contribute to undermining the basic of international law. It is in the common interest of States that treaties to which they have freely chosen to become parties are respected, as to their objectives and purposes, by all parties.

The Government of Portugal, therefore, objects to this reservation. This objection shall not constitute an obstacle to the entry into force of the Convention between Portugal and Malaysia.

[11 January 1996]

The Government of Portugal has examined the contents of the reservation made by Qatar to the Convention on the Rights of the Child, according to which the State of Qatar enters a general reservation in respect of any provisions that conflict with the provisions of the Islamic Shariah.

In the view of the Government of Portugal, a reservation by which a State limits its responsibilities under the Convention in a broad and vague manner, and by invoking general principles of International Law may create doubts on the commitment of the reserving State to the object and purpose of the Convention, and contribute to undermining the basis of International Law. It is in the common interest of States that treaties to which they have freely chosen to become parties are respected, as to the object and purpose, by all parties. The Government of Portugal therefore objects to this reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between Portugal and Qatar.

SLOVAKIA

[9 August 1993]

The Slovak Republic regards the general reservation made by the State of Qatar upon signature of the Convention on the Rights of the Child as incompatible with the object and purpose of the said Convention as well as in contradiction with the well-established principle of the Law of Treaties according to which a State cannot invoke the provisions of its internal law as justification for its failure to perform its treaty obligations. Therefore, the Slovak Republic objects to the said general reservation.

SWEDEN

[20 September 1991]

The Government of Sweden has examined the contents of the reservation made by the Republic of Indonesia, by which the Republic of Indonesia expresses that "With reference to the provisions of articles 1, 14, 16, 17, 21, 22 and 29 of this Convention, the Government of the Republic of Indonesia declares that it will apply these articles in conformity with its Constitution".

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may cast doubts on the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to object and purpose, by all parties. The Government of Sweden therefore objects to the reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and the Republic of Indonesia.

The Government of Sweden has examined the contents of the reservation made by Pakistan, by which Pakistan expresses that "The provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values".

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may cast doubts on the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to object and purpose, by all parties. The Government of Sweden therefore objects to the reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and Pakistan.

[26 August 1992]

The Government of Sweden has examined the content of the reservation made by Jordan, by which Jordan states "The Hashemite Kingdom of Jordan expresses its reservation and does not consider itself bound by articles 14, 20 and 21 of the Convention, which grant the child the right to freedom of choice of religion and concern the question of adoption, since they are at variance with the precepts of the tolerant Islamic Shariah".

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may cast doubts on the commitments of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties also are respected, as to object and purpose, by all parties. The Government of Sweden therefore objects to the reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and Jordan.

[20 July 1993]

The Government of Sweden has examined the contents of the reservation made by Thailand upon accession, which reads as follows: "The application of articles 7, 22 and 29 of the Convention on the Rights of the Child shall be subject to the national laws, regulations and prevailing practices in Thailand."

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may cast doubts on the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to the object and purpose, by all parties. The Government of Sweden therefore objects to the reservations made by Thailand.

The Government of Sweden furthermore notes that, as a matter of principle, the same objection could be made to the reservations made by:

Bangladesh, regarding article 21,
Djibouti, to the whole Convention,
Myanmar, regarding articles 15 (cf. reservation p. 2) and 37.

These objections do not constitute an obstacle to the entry into force of the Convention between Sweden and Thailand, Bangladesh, Djibouti and Myanmar, respectively.

[29 March 1994]

The Government of Sweden has examined the content of the reservation made by Qatar upon signature, by which Qatar states that "The State of Qatar wishes to make a general reservation with regard to those provisions of the Convention which are incompatible with Islamic Law".

Under international treaty law, a State may not invoke internal law as a justification for its failure to perform its treaty obligations. A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may cast doubts upon the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. All States parties share a common interest in the respect for the object and purpose of the treaty to which they have chosen to become parties. The Government of Sweden therefore objects to the reservations made by Qatar.

This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and Qatar.

The Government of Sweden has also examined the content of the reservation made by the Syrian Arab Republic upon ratification, which reads as follows: "The Syrian Arab Republic has reservations on the provisions of the

Convention which are not in conformity with the legislation of the Syrian Arab Republic and with the principles of the Islamic Shariah, in particular the content of article 14 related to the right of the child to the freedom of religion, and articles 20 and 21 concerning adoption."

Under international treaty law, a State may not invoke internal law as a justification for its failure to perform its treaty obligations. A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may cast doubts upon the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. All States parties share a common interest in the respect for the object and purpose of the treaty to which they have chosen to become parties. The Government of Sweden therefore objects to the reservations made by the Syrian Arab Republic.

This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and the Syrian Arab Republic.

[5 September 1995]

The Government of Sweden has examined the contents of the reservation made by the Government of the Islamic Republic of Iran upon ratification to said Convention by which it declares:

> "The Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic laws and the internal legislation in effect."

Reservations are subject to the general principles of treaty law, according to which a party may not invoke its internal law as a justification for not performing its treaty obligations. It is in the common interest of States that treaties to which they have chosen to become parties are also respected, as to the object and purpose, by other parties and that States are prepared to undertaken the legislative changes necessary to comply with such treaties. A reservation that is incompatible with the object and purpose of the Convention on the Rights of the Child shall according to article 51 of the Convention not be permitted.

In this context the Government of Sweden also wishes to recall that according to article 4 of the Convention on the Rights of the Child, States shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized by the Convention.

In order to enable other parties to a convention to establish the scope of their treaty relations with the reserving State, and whether a reservation is compatible with the object and purpose of a treaty, the reservation should satisfy some basic criteria of specificity. The reservation made by the Islamic Republic of Iran does not as now formulated identify, in a way discernible to other parties to the Convention, which particular provisions of the Convention the Islamic Republic of Iran intends to apply.

Consequently, the Government of Sweden finds the reservation, which cannot alter or modify obligations arising from the Convention in any respect, to be inadmissible and against the object and purpose of the treaty.

Moreover, reservations of a comprehensive and unspecified nature contribute to undermining the basis of international human rights treaties.

In view of the above, the Government of Sweden objects to the reservation made by the Islamic Republic of Iran.

[6 September 1996]

The Government of Sweden has examined the content of the reservation made by the Government of Malaysia upon accession to the said Convention which reads as follows ... [see text under Finland above].

The Government of Sweden considers that a reservation by which a State seeks to limit its responsibilities under the Convention by invoking principles of national laws and policies may cast doubts on the commitment of the reserving State to the object and purpose of the Convention. Moreover, it may contribute to undermining the basis of international treaty law.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to object and purpose, by all parties and that States are prepared to undertake legislative changes necessary to comply with such treaties. The Government of Sweden finds the unspecific reservation made by the Government of Malaysia in respect of central provisions of the Convention to be incompatible with the object and purpose of the Convention.

In view of the above, the Government of Sweden objects to the reservation made by the Government of Malaysia.

[18 March 1997]

The Government of Sweden has examined the reservations made by the Government of Saudi Arabia at the time of its accession to the Convention on the Rights of the Child.

The Government of Sweden notes that the said reservations relate to all such articles of the Convention as are in conflict with the provisions of Islamic law.

The Government of Sweden is of the view that these general reservations raise doubts as to the commitment of Saudi Arabia to the object and purpose of the Convention and would recall that, according to article 51, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden is further of the view that general reservations of the kind made by the Government of Saudi Arabia, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

Sweden does not consider the reservations made by the Government of Saudi Arabia as admissible unless the Government of Saudi Arabia, by providing additional information or through subsequent practice, ensures that the reservations are compatible with the provisions essential for the implementation of the object and purpose of the Convention. The Government of Sweden therefore objects to the aforesaid general reservations made by the Government of Saudi Arabia to the Convention on the Rights of the Child.

Pending clarification of the exact extent of the general reservations made by the Government of Saudi Arabia, Sweden considers Saudi Arabia bound by the Convention in its entirety.

E. Declaration with respect to objections

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Declaration with respect to an objection made by Argentina

[16 January 1996]

The Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over the Falkland Islands and over South Georgia and the South Sandwich Islands and its consequential right to extent the said Convention to these Territories. The United Kingdom Government rejects as unfounded the claims by the Government of Argentina and is unable to regard the Argentine objection as having any legal effect.

F. Communications

AUSTRIA

[13 September 1996]

The Government of Austria has examined the contents of the reservations made by ... the State of Qatar upon [ratification of] the Convention on the Rights of the Child which read as follows: "The State of Qatar enter(s) a general reservation by the State of Qatar concerning provisions incompatible with Islamic Law."

Under article 19 of the Vienna Convention on the Law of Treaties - which is reflected in article 51 of the Convention on the Rights of the Child - a reservation, in order to be admissible under international law, has to be compatible with the object and purpose of the treaty concerned. A reservation is incompatible with the object and purpose of a treaty if it intends to derogate provisions the implementation of which is essential to fulfilling its object and purpose.

The Government of Austria has examined the reservations made by ... the State of Qatar to the [Convention]. Given the general character of these reservations a final assessment as to its admissibility under international law cannot be made without further clarification.

Until the scope of the legal effects of this reservation is sufficiently specified by ... the State of Qatar, the Republic of Austria considers these reservations as not affecting any provision the implementation of which is essential to fulfilling the object and purpose of the [Convention].

Austria, however, objects to the admissibility of the reservations in question if the application of this reservation negatively affects the compliance by ... the State of Qatar with its obligations under the [Convention] essential for the fulfilment of its object and purpose.

Austria could not consider the reservation made by ... the State of Qatar as admissible under the regime of article 51 of the [Convention] and article 19 of the Vienna Convention on the Law of Treaties unless ... Qatar, by providing additional information or through subsequent practice ensure[s] that the reservations are compatible with the provisions essential for the implementation of the object and purpose of the [Convention].

BELGIUM

[27 September 1996]

The Government of Belgium has noted the content of the reservation expressed by the Government of Malaysia with respect to articles 1, 2, 7, 13, 14, 15, 22, 28, 37, 40, paragraphs 3 and 4, 44 and 45 of the Convention.

The Government of Belgium believes that this reservation is incompatible with the object and purpose of the Convention and that, consequently, in accordance with article 51, paragraph 2, of the Convention, it is not permitted.

Moreover, the Permanent Representative of Belgium has the honour to communicate to the Secretary-General the position of Belgium concerning the reservation made by Qatar with respect to the Convention on the Rights of the Child.

The Government of Belgium has noted the general reservation expressed by the Government of Qatar with respect to the provisions of the Convention.

The Government of Belgium believes that this reservation is incompatible with the object and purpose of the Convention and that, consequently, in accordance with article 51, paragraph 2, of the Convention, it is not permitted.

Accordingly, Belgium wishes to be bound by the Convention in its entirety as regards the two above-mentioned States, which have expressed reservations prohibited by the Convention on the Rights of the Child, adopted on 20 November 1989.

Moreover, as the 12-month period specified in article 20.5 of the Vienna Convention on the Law of Treaties is not applicable to reservations which are null and void, Belgium's objection to such reservations is not subject to any particular time limit.

BOSNIA AND HERZEGOVINA

[4 June 1997]

The Permanent Mission of Bosnia and Herzegovina to the United Nations considers the depositary notification C.N.92.1997.TREATIES-1 to be incorrect and misleading since it suggests that the State which on 28 January 1997 notified withdrawal of its reservation is the same legal entity under international law that notified its ratification of the Convention on the Rights of the Child and made the reservation in 1991, that is the former Socialist Federal Republic of Yugoslavia (SFRY). In this context, the Permanent Mission of Bosnia and Herzegovina to the United Nations would like to draw attention to the resolutions 757 (1992) and 777 (1992) of the Security Council and to General Assembly resolution 47/1, of 22 September 1992, which stated that "the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist" and to the opinion No. 10 of the Arbitration Commission of the United Nations/European Community Conference on the former Yugoslavia that "the Federal Republic of Yugoslavia (Serbia and Montenegro) is a new State which cannot be considered the sole successor to the SFRY".

It is believed that the Secretary-General should be precise in making references to States Parties to international agreements in respect of which he performs depositary functions. Therefore it is the opinion of the Government of Bosnia and Herzegovina that the withdrawal of the reservation made by the Federal Republic of Yugoslavia cannot be considered valid, since it was made by a State that did not make the reservation. The Federal Republic of Yugoslavia should, as one of the successor States of the former SFRY, notify its succession if it wishes to be considered a Party to the Convention.

CROATIA

[3 June 1997]

The Permanent Mission of the Republic of Croatia to the United Nations would like to express its disagreement with the content of the depositary notification C.N.92.1997.TREATIES-1. The State which in 1991 notified its ratification of the Convention on the Rights of the Child and made the reservation with respect to article 9, paragraph 1 of the Convention was the former Socialist Federal Republic of Yugoslavia (SFRY). The State which on 28 January 1997 notified the withdrawal of the above-mentioned reservation was the Federal Republic of Yugoslavia (FRY), a new State which is neither the continuation nor the sole successor of the former SFRY. In this regard the Permanent Mission of the Republic of Croatia to the United Nations would like to draw attention to General Assembly resolution 47/1 of 22 September 1992, and to the resolutions of the Security Council 777 (1992) and 821 (1993), which stated that "the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist". The Permanent Mission of the Republic of Croatia to the United Nations would also like to draw attention to Opinion No. 10 of the Arbitration Commission of the United Nations/European Community Conference on the former Yugoslavia, which states that "the Federal Republic of Yugoslavia (Serbia and Montenegro) is a new State which cannot be considered the sole successor to the SFRY".

Since the FRY has neither notified succession of the Convention on the Rights of the Child nor acceded to the Convention in any other appropriate manner in accordance with international law, it cannot be considered a Party to the Convention. The notification made by the Government of the FRY is incorrect and misleading since it is erroneously suggesting that the State which would like to withdraw the reservation is the same subject of international law as a State which had made the reservation. Therefore, it is the opinion of the Government of the Republic of Croatia that the notification made by the Government of the FRY on 28 January 1997 can only be considered null and void.

DENMARK

[27 September 1996]

The Government of Denmark has examined the reservation made by Malaysia upon [accession] to the Convention on the Rights of the Child.

The reservation reads: "The Government of Malaysia accepts the provisions of the Convention on the Rights of the Child but expresses reservations with respect to articles 1, 2, 7, 13, 14, 15, 22, 28, 37, 40, paras. 3 and 4, 44 and 45 of the Convention and declares that the said provisions shall be applicable only if they are in conformity with the Constitution, national laws and national policies of the Government of Malaysia."

The reservation covers multiple provisions, including central provisions of the Convention. Furthermore, it is a general principle of international law that internal law may not be invoked as justification for failure to perform treaty obligations. Consequently, the Government of Denmark considers the said reservation as being incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Convention remains in force in its entirety between Malaysia and Denmark.

It is the opinion of the Government of Denmark that no time limit applies to objections against reservations which are inadmissible under international law.

The Government of Denmark recommends the Government of Malaysia to reconsider its reservation to the Convention on the Rights of the Child.

The Government of Denmark has examined the reservations made by Botswana and the State of Qatar upon ratification of the Convention on the Rights of the Child.

Because of their unlimited scope and undefined character these reservations are incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law. Therefore, the Government of Denmark objects to these reservations.

The Convention remains in force in its entirety between Botswana and the State of Qatar respectively and Denmark.

It is the opinion of the Government of Denmark that no time limit applies to objections against reservations which are inadmissible under international law.

The Government of Denmark recommends the Government of Botswana and the Government of the State of Qatar to reconsider their reservations to the Convention on the Rights of the Child.

GREECE

[12 April 1994]

Succession of The former Yugoslav Republic of Macedonia to the Convention on the Rights of the Child, adopted by the General Assembly of the United Nations on 20 November 1989, does not imply its recognition on behalf of the Hellenic Republic.

SLOVENIA

[28 May 1997]

The Permanent Mission of Slovenia to the United Nations would like to express its disagreement with the content of the depositary notification C.N.92.1997.TREATIES-1. The State which in 1991 notified its ratification of the Convention on the Rights of the Child and made the reservation was the former Socialist Federal Republic of Yugoslavia (SFRY), but the State which on 28 January 1997 notified the withdrawal of its reservation was the Federal Republic of Yugoslavia (FRY). In that connection the Mission would like to draw attention to General Assembly resolution 47/1 of 22 September 1992, and to Security Council resolutions 757 (1992) and 777 (1992), which stated that "the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist" and to the opinion No. 10 of the Arbitration Commission of the United Nations/European Community Conference on the former Yugoslavia that "the Federal Republic of Yugoslavia (Serbia and Montenegro) is a new State which cannot be considered the sole successor to the SFRY".

The above-mentioned notification is therefore incorrect and misleading since it is erroneously suggesting that the State which would like to withdraw the reservation is the same person under international law as the State which made the reservation.

It is believed that the Secretary-General should be precise in making references to States Parties to international agreements in respect of which he performs depositary functions. Therefore it is the opinion of the Government of the Republic of Slovenia that the withdrawal of the reservation made by the FRY cannot be considered valid, since it was made by a State that did not make the reservation. The Federal Republic of Yugoslavia should, as one of the successor States of the former SFRY, notify its succession if it wishes to be considered a Party to the Convention.

SWEDEN

[13 August 1997]

The Government of Sweden has examined the reservations made by the Government of Brunei Darussalam at the time of its accession to the Convention on the Rights of the Child.

The Government of Sweden notes that the said reservations include reservations of a general kind in respect of the provisions of the Convention which may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the State religion.

The Government Sweden is of the view that these general reservations raise doubts as to the commitment of Brunei Darussalam to the object and purpose of the Convention and would recall that, according to article 51, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden is further of the view that general reservations of the kind made by the Government of Brunei Darussalam, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Sweden therefore objects to the aforesaid general reservations made by the Government of Brunei Darussalam to the Convention on the Rights of the Child.

This objection does not preclude the entry into force of the Convention between Brunei Darussalam and Sweden. The Convention will thus become operative between the two States without Brunei Darussalam benefiting from these reservations.

It is the opinion of the Government of Sweden, that no time limit applies to objections against reservations, which are inadmissible under international law.

The Government of Sweden has examined the reservations made by the Government of Kiribati at the time of its accession to the Convention on the Rights of the Child in respect of article 24, paragraphs (b), (c), (d), (e) and (f), article 26 and article 28, paragraphs (b), (c) and (d).

The Government of Sweden has further examined the declarations made by the Government of Kiribati at the time of its accession to the Convention on the Rights of the Child. The Government of Sweden considers the declarations relating to articles 12 to 16 of the Convention as reservations.

The Government of Sweden notes that the said reservations are reservations of a general kind in respect of the provisions of the Convention which may be contrary to the customs and traditions of Kiribati.

The Government of Sweden is of the view that these general reservations raise doubts as to the commitment of Kiribati to the object and purpose of the Convention and would recall that, according to article 51, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties.

The Government of Sweden is further of the view that general reservations of the kind made by the Government of Kiribati, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Sweden therefore objects to the aforesaid general reservations made by the Government of Kiribati to the Convention on the Rights of the Child.

This objection does not preclude the entry into force of the Convention between Kiribati and Sweden. The Convention will thus become operative between the two States without Kiribati benefiting from these reservations.

It is the opinion of the Government of Sweden, that no time limit applies to objections against reservations, which are inadmissible under international law.

The Government of Sweden, having examined the declarations and reservations made by the Government of Singapore at the time of its accession to the Convention on the Rights of the Child, considers the declarations as reservations.

The Government of Sweden notes that paragraphs (1), (2) and (3) of the reservations are reservations of a general kind in respect of the provisions of the Convention which may be contrary to the Constitution, laws, customs, values and religions of Singapore.

The Government Sweden is of the view that these general reservations raise doubts as to the commitment of Singapore to the object and purpose of the Convention and would recall that, according to article 51, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden is further of the view that general reservations of the kind made by the Government of Singapore, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Sweden therefore objects to the aforesaid general reservations made by the Government of Singapore to the Convention on the Rights of the Child.

This objection does not preclude the entry into force of the Convention between Singapore and Sweden. The Convention will thus become operative between the two States without Singapore benefiting from these reservations.

It is the opinion of the Government of Sweden, that no time limit applies to objections against reservations, which are inadmissible under international law.

SYRIAN ARAB REPUBLIC

[15 July 1996]

The laws in effect in the Syrian Arab Republic do not recognize the system of adoption, although they do require that protection and assistance should be provided to those for whatever reason permanently or temporarily deprived of their family environment and that alternative care should be assured them through foster placement and kafalah, in care centres and special institutions and, without assimilation to their blood lineage (nasab), by foster families, in accordance with the legislation in force based on the principles of the Islamic Shariah.

The reservations of the Syrian Arab Republic to articles 20 and 21 mean that approval of the Convention should not in any way be interpreted as recognizing or permitting the system of adoption to which reference is made in these two articles and are subject to these limitations only.

The reservations of the Syrian Arab Republic to article 14 of the Convention are restricted only to its provisions relating to religion and do not concern those relating to thought or conscience. They concern: the extent to which the right in question might conflict with the right of parents and guardians to ensure the religious education of their children, as recognized by the United Nations and set forth in article 18, paragraph 4, of the International Covenant on Civil and Political Rights; the extent to which it might conflict with the right, established by the laws in force, of a child to choose a religion at an appointed time or in accordance with designated procedures or at a particular age in the case where he clearly has the mental and legal capacity to do so; and the extent to which it might conflict with public order and the principles of the Islamic Shariah on this matter that are in effect in the Syrian Arab Republic with respect to each case.

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

[10 October 1997]

In the Secretary-General's depositary notification, reference C.N.92.1997.TREATIES-1 concerning the Convention on the Rights of the Child, adopted by the General Assembly of the United Nations on 20 November 1989, it is stated that "on 28 January 1997, the Government of Yugoslavia notified the Secretary-General of its decision to withdraw the reservation with respect to article 9, paragraph 1 of the Convention, that it had made upon the ratification of the Convention, as circulated by depositary notification C.N.5.1991.TREATIES-1 of 12 April 1991".

The Permanent Mission of the Republic of Macedonia would like to draw the attention to the fact that the Federal Republic of Yugoslavia has neither notified its succession to the Convention, nor has it adhered to the Convention in any other appropriate manner consistent with the international treaty law. Accordingly, the Federal Republic of Yugoslavia is not, and cannot be considered as a Party to the Convention. Therefore, it is the opinion of the Government of the Republic of Macedonia that the notification made by the Federal Republic of Yugoslavia on 28 January 1997, regarding the Convention on the Rights of the Child, is null and void, and cannot have legal effect.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

[10 June 1997]

In accordance with the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, signed on 19 December 1984, the Government of the United Kingdom will restore Hong Kong to the People's Republic of China with effect from 1 July 1997. The Government of the United Kingdom will continue to have international responsibility for Hong Kong until that date. Therefore, from that date the Government of the United Kingdom will cease to be responsible for the international rights and obligations arising from the application of the [above Conventions] to Hong Kong.

Index

Articles of the Convention	States parties which have made reservations or declarations	States parties which have raised objections or submitted communications with respect to reservations or declarations
Preamble	Tunisia	Ireland
1	Argentina, Botswana, Cuba, Indonesia, Liechtenstein, Malaysia	Austria, Belgium, Denmark, Finland, Ireland, Netherlands, Norway, Portugal, Sweden
2	Bahamas, Belgium, Cook Islands, Malaysia, Tunisia	Austria, Belgium, Finland, Germany, Ireland, Norway, Portugal
3	Luxembourg	
4	Tunisia	Germany
5	Switzerland	
6	China, France, Luxembourg, Tunisia	Ireland
7	Andorra, Czech Republic, Kuwait, Liechtenstein, Luxembourg, Malaysia, Monaco, Oman, Poland, Singapore, Switzerland, Thailand, Tunisia, United Arab Emirates	Austria, Belgium, Denmark, Finland, Ireland, Netherlands, Norway, Portugal, Sweden
8	Andorra	Netherlands
9	Bosnia and Herzegovina, Croatia, Iceland, Japan, Luxembourg, Oman, Rep. of Korea, Singapore, Slovenia	
10	Cook Islands, Japan, Liechtenstein, Luxembourg, Singapore, Switzerland	Netherlands
12	Kiribati, Poland, Singapore	Netherlands
13	Algeria, Austria, Belgium, Holy See, Kiribati, Malaysia, Poland, Singapore	Austria, Belgium, Denmark, Finland, Ireland, Netherlands, Norway, Portugal, Sweden

Articles of the Convention	States parties which have made reservations or declarations	States parties which have raised objections or submitted communications with respect to reservations or declarations
14	Algeria, Brunei Darussalam, Bangladesh, Belgium, Holy See, Indonesia, Iraq, Jordan, Kiribati, Malaysia, Maldives, Morocco, Netherlands, Oman, Poland, Singapore, United Arab Emirates, Syrian Arab Republic	Austria, Belgium, Denmark, Finland, Germany, Ireland, Italy, Netherlands, Norway, Portugal, Sweden
15	Austria, Belgium, Holy See, Kiribati, Luxembourg, Malaysia, Myanmar*, Poland, Singapore	Belgium, Denmark, Finland, Germany, Ireland, Netherlands, Norway, Portugal, Sweden
16	Algeria, Holy See, Indonesia, Kiribati, Mali, Poland, Singapore	Finland, Ireland, Netherlands, Norway, Sweden, Portugal
17	Algeria, Austria, Indonesia, Singapore, Turkey, United Arab Emirates	Finland, Ireland, Netherlands, Norway, Portugal, Sweden
18	Germany	
19	Singapore	Belgium, Germany
20	Brunei Darussalam, Egypt, Jordan, Syrian Arab Republic	Austria, Denmark, Finland, Germany, Ireland, Italy, Netherlands, Sweden, Syrian Arab Republic
21	Argentina, Bangladesh, Brunei Darussalam, Canada, Cook Islands, Egypt, Indonesia, Jordan, Kuwait, Maldives, Rep. of Korea, Spain, Syrian Arab Republic, United Arab Emirates, Venezuela	Austria, Finland, Germany, Ireland, Italy, Netherlands, Norway, Portugal, Sweden, Syrian Arab Republic
22	China, Indonesia, Malaysia, Mauritius, Netherlands, Thailand, United Kingdom	Austria, Belgium, Denmark, Finland, Ireland, Netherlands, Norway, Portugal, Sweden
24	Argentina, Holy See, Kiribati, Poland	Austria, Portugal

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* Reservations or declarations were withdrawn.

Articles of the Convention	States parties which have made made reservations or declarations	States parties which have raised objections or submitted communications with respect to reservations or declarations
26	Kiribati, Malta, Netherlands	Austria, Portugal
28	Holy See, Kiribati, Malaysia, Samoa, Singapore	Austria, Belgium, Denmark, Finland, Ireland, Netherlands, Norway, Portugal, Sweden
29	Indonesia, Turkey	Finland, Ireland, Netherlands, Norway, Portugal, Sweden
30	Canada, France, Oman, Turkey, Venezuela	
32	China, India, New Zealand, Singapore, United Kingdom	
37	Australia, Canada, China, Cook Islands, Iceland, Japan, Malaysia, Myanmar*, Netherlands, New Zealand, Singapore, Switzerland	Austria, Belgium, Denmark, Finland, Germany, Ireland, Netherlands, Norway, Portugal, Sweden
38	Andorra, Argentina, Austria, Colombia, Germany, Netherlands, Poland, Spain, Swaziland, Uruguay	
40	Belgium, Denmark, France, Germany, Malaysia, Monaco, Netherlands, Norway*, Rep. of Korea, Switzerland, Tunisia	Austria, Belgium, Denmark, Finland, Ireland, Netherlands, Norway, Portugal, Sweden
44	Malaysia	Austria, Belgium, Denmark, Finland, Ireland, Netherlands, Norway, Portugal, Sweden
45	Malaysia	Austria, Belgium, Denmark, Finland, Ireland, Netherlands, Norway, Portugal, Sweden

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* Reservations or declarations were withdrawn.

States parties which have made reservations or declarations without reference to specific articles	States parties which have raised objections or submitted communications with respect to reservations or declarations
Brunei Darussalam, Djibouti	Austria, Denmark, Finland, Germany, Ireland, Italy, Netherlands, Norway, Portugal, Sweden
Iran, Islamic Republic of	Austria, Denmark, Finland, Germany, Ireland, Italy, Netherlands, Norway, Portugal, Sweden
Oman, Pakistan, Qatar	Austria, Belgium, Denmark, Finland, Ireland, Italy, Netherlands, Norway, Portugal, Sweden
Saudi Arabia, Singapore, Syrian Arab Republic	Austria, Belgium, Denmark, Finland, Germany, Ireland, Italy, Netherlands, Norway, Portugal, Sweden
Tunisia	Germany
